

112TH CONGRESS
1ST SESSION

H. R. 2583

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2011

Ms. ROS-LEHTINEN introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Year 2012”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

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- Sec. 102. Contributions to International Organizations.
- Sec. 103. Contributions for International Peacekeeping Activities.
- Sec. 104. International Commissions.
- Sec. 105. Migration and Refugee Assistance.
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- Sec. 211. Extension of authority to assess passport surcharge.
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- Sec. 301. Suspension of Foreign Service members without pay.
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- Sec. 401. Goals of United States assistance.
- Sec. 402. United States Agency for International Development.
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- Sec. 404. Microfinance and microenterprise programs.
- Sec. 405. Development credit authority.
- Sec. 406. Millennium Challenge Corporation.
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- Sec. 408. Democracy Fund.
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TITLE VI—REPORTING REQUIREMENTS

- Sec. 601. Reporting reform.
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TITLE VII—PROLIFERATION SECURITY INITIATIVE

- Sec. 701. Authority to interdict certain imports to and exports from Iran.
- Sec. 702. Report.
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TITLE VIII—MISCELLANEOUS PROVISIONS

- Sec. 801. Boundary, water, and fisheries commissions.
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- Sec. 961. Statement of policy.
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PART IV—PALESTINIAN AUTHORITY

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- Sec. 972. Report on security assistance to the Palestinian Authority.
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PART V—PAKISTAN

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Sec. 995. Peacekeeping operations.

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TITLE X—PEACE CORPS VOLUNTEER SERVICE PROTECTION

Sec. 1001. Sexual assault complaints in the Peace Corps.

Sec. 1002. Peace Corps volunteer protection.

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Sec. 1004. Independence of the Inspector General of the Peace Corps.

Sec. 1005. Authorization of appropriations.

1 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 Except as otherwise provided in this Act, the term
4 “appropriate congressional committees” means the Com-
5 mittee on Foreign Affairs of the House of Representatives
6 and the Committee on Foreign Relations of the Senate.

7 **TITLE I—AUTHORIZATION OF**
8 **APPROPRIATIONS**

9 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

10 The following amounts are authorized to be appro-
11 priated for the Department of State under “Administra-
12 tion of Foreign Affairs” to carry out the authorities, func-
13 tions, duties, and responsibilities in the conduct of foreign
14 affairs of the United States, and for other purposes au-
15 thorized by law:

1 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—
2 For “Diplomatic and Consular Programs”,
3 \$8,790,000,000 for fiscal year 2012.

4 (A) WORLDWIDE SECURITY PROTEC-
5 TION.—Of the amounts authorized to be appro-
6 priated under paragraph (1), \$1,500,000,000 is
7 authorized to be appropriated for worldwide se-
8 curity protection.

9 (B) BUREAU OF DEMOCRACY, HUMAN
10 RIGHTS, AND LABOR.—Of the amounts author-
11 ized to be appropriated under paragraph (1),
12 not less than \$21,416,000 for fiscal year 2012
13 is authorized to be appropriated for the Bureau
14 of Democracy, Human Rights, and Labor.

15 (2) CAPITAL INVESTMENT FUND.—For “Cap-
16 ital Investment Fund”, \$59,499,000 for fiscal year
17 2012.

18 (3) EMBASSY SECURITY, CONSTRUCTION AND
19 MAINTENANCE.—For “Embassy Security, Construc-
20 tion and Maintenance”, \$1,620,000,000 for fiscal
21 year 2012.

22 (4) EDUCATIONAL AND CULTURAL EXCHANGE
23 PROGRAMS.—For “Educational and Cultural Ex-
24 change Programs”, \$600,000,000 for fiscal year
25 2012.

1 (5) CONFLICT STABILIZATION OPERATIONS.—
2 For “Conflict Stabilization Operations”,
3 \$35,000,000 for fiscal year 2012.

4 (6) REPRESENTATION ALLOWANCES.—For
5 “Representation Allowances”, \$7,499,000 for fiscal
6 year 2012.

7 (7) PROTECTION OF FOREIGN MISSIONS AND
8 OFFICIALS.—For “Protection of Foreign Missions
9 and Officials”, \$27,744,000 for fiscal year 2012.

10 (8) EMERGENCIES IN THE DIPLOMATIC AND
11 CONSULAR SERVICE.—For “Emergencies in the Dip-
12 lomatic and Consular Service”, \$9,499,000 for fiscal
13 year 2012.

14 (9) REPATRIATION LOANS.—For “Repatriation
15 Loans”, \$1,450,000 for fiscal year 2012.

16 (10) PAYMENT TO THE AMERICAN INSTITUTE
17 IN TAIWAN.—For “Payment to the American Insti-
18 tute in Taiwan”, \$21,150,000 for fiscal year 2012.

19 (11) OFFICE OF THE INSPECTOR GENERAL.—
20 For “Office of the Inspector General”,
21 \$100,000,000 for fiscal year 2012, including for the
22 Special Inspector General for Iraq Reconstruction
23 and the Special Inspector General for Afghanistan
24 Reconstruction.

1 **SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
2 **TIONS.**

3 There are authorized to be appropriated for “Con-
4 tributions to International Organizations”,
5 \$1,581,815,000 for fiscal year 2012, for the Department
6 of State to carry out the authorities, functions, duties, and
7 responsibilities in the conduct of the foreign affairs of the
8 United States with respect to international organizations
9 and to carry out other authorities in law consistent with
10 such purposes. Of the amounts authorized to be appro-
11 priated by this section, not more than \$44,238,411 is au-
12 thorized to be appropriated for assessed contributions to
13 the Organization of American States.

14 **SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
15 **KEEPING ACTIVITIES.**

16 (a) STATEMENT OF POLICY.—It remains the policy
17 of the United States, pursuant to section 404(b)(2)(A) of
18 the Foreign Relations Authorization Act, Fiscal Years
19 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e
20 note) that funds authorized to be appropriated for con-
21 tributions for international peacekeeping activities shall
22 not be available for the payment of the United States as-
23 sessed contribution for a United Nations peacekeeping op-
24 eration in an amount that is greater than 25 percent of
25 the total of all assessed contributions for such operation.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated for “Contributions for
3 International Peacekeeping Activities”, \$1,735,382,277
4 for fiscal year 2012 for the Department of State to carry
5 out the authorities, functions, duties, and responsibilities
6 of the United States with respect to international peace-
7 keeping activities and to carry out other authorities in law
8 consistent with such purposes.

9 **SEC. 104. INTERNATIONAL COMMISSIONS.**

10 The following amounts are authorized to be appro-
11 priated under “International Commissions” for the De-
12 partment of State to carry out the authorities, functions,
13 duties, and responsibilities in the conduct of the foreign
14 affairs of the United States and for other purposes author-
15 ized by law:

16 (1) INTERNATIONAL BOUNDARY AND WATER
17 COMMISSION, UNITED STATES AND MEXICO.—For
18 “International Boundary and Water Commission,
19 United States and Mexico”—

20 (A) for “Salaries and Expenses”,
21 \$43,300,000 for fiscal year 2012; and

22 (B) for “Construction”, \$26,500,000 for
23 fiscal year 2012.

24 (2) INTERNATIONAL BOUNDARY COMMISSION,
25 UNITED STATES AND CANADA.—For “International

1 Boundary Commission, United States and Canada”,
2 \$2,433,000 for fiscal year 2012.

3 (3) INTERNATIONAL JOINT COMMISSION.—For
4 “International Joint Commission”, \$7,237,000 for
5 fiscal year 2012.

6 (4) INTERNATIONAL FISHERIES COMMIS-
7 SIONS.—For “International Fisheries Commissions”,
8 \$31,291,000 for fiscal year 2012.

9 **SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated for “Migration and Ref-
12 ugee Assistance” for authorized activities \$1,690,000,000
13 for fiscal year 2012.

14 (b) REFUGEE RESETTLEMENT IN ISRAEL.—Of the
15 amounts authorized to be appropriated by subsection (a),
16 there are authorized to be appropriated \$25,000,000 for
17 fiscal year 2012 for resettlement of refugees in Israel.

18 **SEC. 106. NATIONAL ENDOWMENT FOR DEMOCRACY.**

19 There are authorized to be appropriated for the “Na-
20 tional Endowment for Democracy” for authorized activi-
21 ties \$118,000,000 for fiscal year 2012.

1 **TITLE II—DEPARTMENT OF**
2 **STATE AUTHORITIES AND AC-**
3 **TIVITIES**

4 **Subtitle A—Basic Authorities and**
5 **Activities**

6 **SEC. 201. TRANSFER OF INSPECTIONS BACK TO THE SEC-**
7 **RETARY OF STATE.**

8 (a) LIMITATION OF INSPECTOR GENERAL DUTIES.—
9 Paragraph (1) section 209(a) of the Foreign Service Act
10 of 1980 (22 U.S.C. 3929(a)), is amended by striking the
11 fourth sentence and inserting the following new sentence:
12 “The Inspector General shall perform such functions as
13 the Secretary of State may prescribe, except that the Sec-
14 retary of State shall not assign to the Inspector general
15 any general operating responsibilities.”.

16 (b) INSPECTIONS BY THE SECRETARY OF STATE.—

17 (1) INSPECTIONS.—The Secretary of State shall
18 periodically inspect the administration of activities
19 and operations of each Foreign Service post and
20 each bureau and other operating unit of the Depart-
21 ment of State.

22 (2) REPORTS PROVIDED TO THE INSPECTOR
23 GENERAL.—The Secretary of State shall provide to
24 the Inspector General of the Department of State a

1 copy of the report of each inspection carried out in
2 accordance with paragraph (1).

3 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion shall be construed as limiting the authority of the In-
5 spector General of the Department of State to conduct
6 audits, investigations, or inspections under the Inspector
7 General Act of 1978 (5 U.S.C. App.).

8 **SEC. 202. INTERNATIONAL LITIGATION FUND.**

9 Paragraph (3) of section 38(d) of the State Depart-
10 ment Basic Authorities Act of 1956 (22 U.S.C. 2710(d))
11 is amended by striking “by the Department of State from
12 another agency of the United States Government or pur-
13 suant to” and inserting “by the Department of State as
14 a result of a decision of an international tribunal, from
15 another agency of the United States Government, or pur-
16 suant to”.

17 **SEC. 203. ACTUARIAL VALUATIONS.**

18 The Foreign Service Act of 1980 is amended—

19 (1) in section 818 (22 U.S.C. 4058)—

20 (A) in the first sentence, by striking “Sec-
21 retary of the Treasury” and inserting instead
22 “Secretary of State”; and

23 (B) by amending the second sentence to
24 read as follows: “The Secretary of State is au-
25 thorized to expend from money to the credit of

1 the Fund such sums as may be necessary to ad-
2 minister the provisions of this subchapter, in-
3 cluding actuarial advice, but only to the extent
4 and in such amounts as are provided in advance
5 in appropriations Acts.”;

6 (2) in section 819 (22 U.S.C. 4059), in the first
7 sentence, by striking “Secretary of the Treasury”
8 the second place it appears and inserting “Secretary
9 of State”;

10 (3) in section 825(b) (22 U.S.C. 4065(b)), by
11 striking “Secretary of the Treasury” and inserting
12 instead “Secretary of State”; and

13 (4) section 859(c) (22 U.S.C. 4071h(c))—

14 (A) by striking “Secretary of the Treas-
15 ury” and inserting instead “Secretary of
16 State”; and

17 (B) by striking “and shall advise the Sec-
18 retary of State of” and inserting instead “that
19 will provide”.

20 **SEC. 204. SPECIAL AGENTS.**

21 (a) IN GENERAL.—Paragraph (1) of section 37(a) of
22 the State Department Basic Authorities Act of 1956 (22
23 U.S.C. 2709(a)) is amended to read as follows:

24 “(1) conduct investigations concerning—

1 “(A) illegal passport or visa issuance or
2 use;

3 “(B) identity theft or document fraud af-
4 fecting or relating to the programs, functions,
5 and authorities of the Department of State; and

6 “(C) Federal offenses committed within
7 the special maritime and territorial jurisdiction
8 of the United States as defined in paragraph
9 (9) of section 7 of title 18, United States Code,
10 except as that jurisdiction relates to the prem-
11 ises of United States military missions and re-
12 lated residences;”.

13 (b) **RULE OF CONSTRUCTION.**—Nothing in para-
14 graph (1) of section 37(a) the State Department Basic
15 Authorities Act of 1956 (as amended by subsection (a)
16 of this section) shall be construed to limit the investigative
17 authority of any other Federal department or agency.

18 **SEC. 205. DIPLOMATIC SECURITY PROGRAM CONTRACTING.**

19 Section 136 of the Foreign Relations Authorization
20 Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is
21 amended—

22 (1) in subsection (c)—

23 (A) in the matter preceding paragraph (1),
24 by striking “With respect” and inserting “Ex-

1 cept as provided in subsection (d), with re-
2 spect”; and

3 (B) in paragraph (3), by striking “sub-
4 section (d)” and inserting “subsection (e)”;

5 (2) by redesignating subsections (d), (e), (f),
6 and (g) as subsections (e), (f), (g), and (h), respec-
7 tively;

8 (3) by inserting after subsection (c) the fol-
9 lowing new subsection:

10 “(d) AWARD OF LOCAL GUARD AND PROTECTIVE
11 SERVICE CONTRACTS IN HIGH RISK AREAS.—With re-
12 spect to local guard contracts for Foreign Service build-
13 ings located in high risk areas which exceed \$250,000, the
14 Secretary of State shall—

15 “(1) comply with paragraphs (1), (2), (4), (5),
16 and (6) of subsection (c) in the award of such con-
17 tracts;

18 “(2) in evaluating proposals for such contracts,
19 award contracts to the firm representing the best
20 value to the Government in accordance with the best
21 value tradeoff process described in subpart 15.1 of
22 the Federal Acquisition Regulation (48 C.F.R.
23 15.101–1); and

1 “(3) ensure that in all contracts awarded under
2 this subsection, contractor personnel providing local
3 guard or protective services are classified as—

4 “(A) employees of the offeror;

5 “(B) if the offeror is a joint venture, as
6 the employees of one of the persons or parties
7 constituting the joint venture; or

8 “(C) as employees of a subcontractor to
9 the offeror, and not as independent contractors
10 to the offeror or any other entity performing
11 under such contracts.”; and

12 (4) in subsection (e), as redesignated by para-
13 graph (2) of this section—

14 (A) in paragraph (3), by striking “and” at
15 the end;

16 (B) in paragraph (4), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (C) by adding after paragraph (4) the fol-
19 lowing new paragraph:

20 “(5) the term ‘high risk areas’ means—

21 “(A) an area designated as a contingency
22 operation in accordance with section 101(a)(13)
23 of title 10, United States Code; or

24 “(B) an area determined by the Assistant
25 Secretary of Diplomatic Security to present an

1 increased threat of serious damage or harm to
2 United States diplomatic facilities or per-
3 sonnel.”.

4 **SEC. 206. STATEMENT OF POLICY ON EXISTING UNITED**
5 **STATES UNDERSTANDINGS WITH ISRAEL.**

6 It is shall be the policy of the United States to uphold
7 and act in accordance with all of the reassurances pro-
8 vided by the President in an April 14, 2004, letter to the
9 Prime Minister of Israel.

10 **SEC. 207. RECOGNITION OF JERUSALEM AS THE CAPITAL**
11 **OF THE STATE OF ISRAEL AND RELOCATION**
12 **OF THE UNITED STATES EMBASSY TO JERU-**
13 **SALEM.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) Jerusalem must remain an undivided city in
17 which the rights of every ethnic and religious group
18 are protected as they have been by Israel since
19 1967;

20 (2) the President and the Secretary of State
21 should publicly affirm as a matter of United States
22 policy that Jerusalem must remain the undivided
23 capital of the State of Israel;

24 (3) the President should immediately implement
25 the provisions of Jerusalem Embassy Act of 1995

1 (Public Law 104–45) and begin the process of relo-
2 cating the United States Embassy in Israel to Jeru-
3 salem; and

4 (4) United States officials should refrain from
5 any actions that contradict United States law on
6 this subject.

7 (b) AMENDING OF WAIVER AUTHORITY.—Subsection
8 (a) of section 7 of the Jerusalem Embassy Act of 1995
9 (Public Law 104–45) is amended by adding at the end
10 the following new paragraph:

11 “(4) The Presidential waiver authority granted
12 in this section shall expire on January 1, 2014.”.

13 (c) IDENTIFICATION OF JERUSALEM ON GOVERN-
14 MENT DOCUMENTS.—Notwithstanding any other provi-
15 sion of law, any official document of the United States
16 Government that lists countries and their capital cities
17 shall identify Jerusalem as the capital of Israel.

18 (d) TIMETABLE.—It is the policy of the United
19 States that the United States Embassy in Israel should
20 be established in Jerusalem as soon as possible, and not
21 later than January 1, 2014.

22 (e) FISCAL YEAR 2012 FUNDING.—Of the funds au-
23 thorized to be appropriated for “Acquisition and Mainte-
24 nance of Buildings Abroad” for the Department of State
25 for fiscal year 2012, not less than \$500,000 shall be made

1 available until expended only for construction and other
2 costs associated with the establishment of the United
3 States Embassy in Israel in the capital of Jerusalem.

4 (f) DEFINITION.—In this section, the term “United
5 States Embassy” means the offices of the United States
6 diplomatic mission and the residence of the United States
7 chief of mission.

8 **Subtitle B—Consular Services and** 9 **Related Matters**

10 **SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT** 11 **SURCHARGE.**

12 Paragraph (2) of section 1(b) of the Passport Act of
13 June 4, 1920 (22 U.S.C. 214(b)), is amended by striking
14 “2010” and inserting “2015”.

15 **SEC. 212. TIBET.**

16 (a) TIBET NEGOTIATIONS.—Section 613(a) of the
17 Tibetan Policy Act of 2002 (Public Law 107–228; 22
18 U.S.C. 6901 note) is amended—

19 (1) in paragraph (1), by inserting before the pe-
20 riod at the end the following: “, and should coordi-
21 nate with other governments in multilateral efforts
22 toward this goal”;

23 (2) by redesignating paragraph (2) as para-
24 graph (3); and

1 (3) by inserting after paragraph (1) the fol-
2 lowing new paragraph:

3 “(2) POLICY COORDINATION.—The President
4 shall direct the National Security Council to ensure
5 that, in accordance with this Act, United States pol-
6 icy on Tibet is coordinated and communicated with
7 all executive branch agencies in contact with the
8 Government of the People’s Republic of China.”.

9 (b) DIPLOMATIC REPRESENTATION RELATING TO
10 TIBET.—

11 (1) UNITED STATES EMBASSY IN BEIJING.—

12 (A) IN GENERAL.—The Secretary of State
13 is authorized to establish a Tibet Section within
14 the United States Embassy in Beijing, China,
15 for the purposes of following political, economic,
16 and social developments inside Tibet, including
17 Tibetan areas of Qinghai, Sichuan, Gansu, and
18 Yunnan provinces, until such time as a United
19 States consulate in Tibet is established. Such
20 Tibet Section shall have the primary responsi-
21 bility for reporting on human rights issues in
22 Tibet and shall work in close cooperation with
23 the Office of the Special Coordinator for Ti-
24 betan Issues of the Department of State. The

1 chief of such Tibet Section should be of senior
2 rank.

3 (2) IN TIBET.—Section 618 of the Tibetan Pol-
4 icy Act of 2002 is amended to read as follows:

5 **“SEC. 618. ESTABLISHMENT OF A UNITED STATES CON-**
6 **SULATE IN LHASA, TIBET.**

7 “The Secretary shall seek to establish a United
8 States consulate in Lhasa, Tibet, to provide services to
9 United States citizens traveling in Tibet and to monitor
10 political, economic, and cultural developments in Tibet, in-
11 cluding Tibetan areas of Qinghai, Sichuan, Gansu, and
12 Yunnan provinces and, until such consulate is established,
13 shall not permit the establishment in the United States
14 of any additional consulate of the People’s Republic of
15 China.”.

16 (c) RELIGIOUS PERSECUTION IN TIBET.—Section
17 620(b) of the Tibetan Policy Act of 2002 is amended by
18 adding before the period at the end the following: “, in-
19 cluding in the reincarnation system of Tibetan Bud-
20 dhism”.

21 **SEC. 213. MAINTENANCE COST SHARING PROGRAM.**

22 Section 604(e)(1) of the Secure Embassy Construc-
23 tion and Counterterrorism Act of 1999 (22 U.S.C. 4865
24 note) is amended, in the first sentence, by striking “pro-

1 viding new,” and inserting “providing, maintaining, re-
2 pairing, and renovating”.

3 **SEC. 214. BORDER CROSSING CARD FEE FOR MINORS.**

4 Section 410(a)(1)(A) of the Department of State and
5 Related Agencies Appropriations Act, 1999 (contained in
6 division A of Public Law 105–277) is amended by striking
7 “a fee of \$13” and inserting “a fee equal to one-half the
8 fee that would otherwise apply for processing a machine
9 readable combined border crossing identification card and
10 nonimmigrant visa”.

11 **TITLE III—ORGANIZATION AND**
12 **PERSONNEL AUTHORITIES**

13 **SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS**
14 **WITHOUT PAY.**

15 (a) SUSPENSION.—Section 610 of the Foreign Serv-
16 ice Act of 1980 (22 U.S.C. 4010) is amended by adding
17 at the end the following new subsection:

18 “(c)(1) In order to promote the efficiency of the Serv-
19 ice, the Secretary may suspend a member of the Foreign
20 Service without pay when the member’s security clearance
21 is suspended or when there is reasonable cause to believe
22 that the member has committed a crime for which a sen-
23 tence of imprisonment may be imposed.

1 “(2) Any member of the Foreign Service for whom
2 a suspension is proposed in accordance with paragraph (1)
3 shall be entitled to—

4 “(A) written notice stating the specific reasons
5 for the proposed suspension;

6 “(B) a reasonable time to respond orally and in
7 writing to the proposed suspension;

8 “(C) representation by an attorney or other
9 representative; and

10 “(D) a final written decision, including the spe-
11 cific reasons for such decision, as soon as prac-
12 ticable.

13 “(3) Any member suspended under this section may
14 file a grievance in accordance with the procedures applica-
15 ble to grievances under chapter 11.

16 “(4) In the case of a grievance filed under paragraph
17 (3)—

18 “(A) the review by the Foreign Service Griev-
19 ance Board shall be limited to a determination of
20 whether the provisions of paragraphs (1) and (2)
21 have been fulfilled; and

22 “(B) the Foreign Service Grievance Board may
23 not exercise the authority provided under section
24 1106(8).

25 “(5) In this subsection:

1 “(A) The term ‘reasonable time’ means—

2 “(i) with respect to a member of the For-
3 foreign Service assigned to duty in the United
4 States, 15 days after receiving notice of the
5 proposed suspension; and

6 “(ii) with respect to a member of the For-
7 foreign Service assigned to duty outside the
8 United States, 30 days after receiving notice of
9 the proposed suspension.

10 “(B) The term ‘suspend’ or ‘suspension’ means
11 the placing of a member of the Foreign Service in
12 a temporary status without duties and pay.”.

13 (b) CONFORMING AND CLERICAL AMENDMENTS.—

14 (1) AMENDMENT OF SECTION HEADING.—Sec-
15 tion 610 of the Foreign Service Act of 1980, as
16 amended by subsection (a) of this section, is further
17 amended, in the section heading, by inserting “;
18 SUSPENSION” before the period at the end.

19 (2) CLERICAL AMENDMENT.—The item relating
20 to section 610 in the table of contents in section 2
21 of the Foreign Service Act of 1980 is amended to
22 read as follows:

“Sec. 610. Separation for cause; suspension.”.

1 **SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT**
2 **FOR SENIOR FOREIGN SERVICE.**

3 Section 305(d) of the Foreign Service Act of 1980
4 (22 U.S.C. 3945(d)) is repealed.

5 **SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**
6 **ICE.**

7 Section 309 of the Foreign Service Act of 1980 (22
8 U.S.C. 3949) is amended—

9 (1) in subsection (a), by striking “subsection
10 (b)” and inserting “subsections (b) or (c)”;

11 (2) in subsection (b)—

12 (A) in paragraph (3)—

13 (i) by inserting “(A),” after “if”; and

14 (ii) by inserting before the semicolon

15 at the end the following: “, or (B), the ca-

16 reer candidate is serving in the uniformed

17 services, as defined by the Uniformed Serv-

18 ices Employment and Reemployment

19 Rights Act of 1994 (38 U.S.C. 4301 et

20 seq.), and the limited appointment expires

21 in the course of such service”;

22 (B) in paragraph (4), by striking “and” at

23 the end;

24 (C) in paragraph (5), by striking the pe-

25 riod at the end and inserting “; and”; and

1 (D) by adding after paragraph (5) the fol-
2 lowing new paragraph:

3 “(6) in exceptional circumstances where the
4 Secretary determines the needs of the Service re-
5 quire the extension of a limited appointment (A), for
6 a period of time not to exceed 12 months (if such
7 period of time does not permit additional review by
8 boards under section 306), or (B), for the minimum
9 time needed to settle a grievance, claim, or com-
10 plaint not otherwise provided for in this section.”;
11 and

12 (3) by adding at the end the following new sub-
13 section:

14 “(c) Non-career Foreign Service employees who have
15 served five consecutive years under a limited appointment
16 may be reappointed to a subsequent limited appointment
17 if there is a one year break in service between each such
18 appointment. The Secretary may in cases of special need
19 waive the requirement for a one year break in service.”.

20 **SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR**
21 **TRAVEL.**

22 Section 5550b of title 5, United States Code, is
23 amended by adding at the end the following new sub-
24 section:

1 “(c) The maximum amount of compensatory time off
2 earned under this section may not exceed 104 hours dur-
3 ing any leave year (as defined by regulations established
4 by the Office of Personnel Management).”.

5 **TITLE IV—FOREIGN ASSISTANCE**

6 **SEC. 401. GOALS OF UNITED STATES ASSISTANCE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) in December 2007, the United States Gov-
10 ernment’s Commission on Helping to Enhance the
11 Lives of Poor People Around the Globe, also known
12 as the “HELP Commission,” reported that sus-
13 tained economic growth is vital and necessary for a
14 country to feed, educate, house and provide for the
15 health of its citizens over the long term and that
16 “foreign assistance alone is not sufficient to help de-
17 veloping countries achieve long-term, sustainable
18 economic growth”;

19 (2) private sector-led trade and investment are
20 fundamental components of economic development
21 and growth; and

22 (3) the United States Agency for International
23 Development’s Global Development Alliance program
24 characterizes the rising importance of private re-
25 sources and private actors as development tools in

1 an expanding and more integrated globalized econ-
2 omy, aligning public resources with private capital
3 through the establishment of public-private partner-
4 ships for the economic advancement of impoverished
5 countries.

6 (b) STATEMENT OF POLICY.—It shall be the policy
7 of the United States to—

8 (1) emphasize the development of innovative
9 partnerships between governments and organizations
10 in the private sector (including corporations, founda-
11 tions, universities, faith-based organizations, and
12 other nongovernmental organizations) in the ap-
13 proach to and distribution of foreign assistance; and

14 (2) focus United States assistance programs on
15 achieving sustainable economic growth and grad-
16 uating United States aid recipients into a trade-
17 based relationship with the United States.

18 **SEC. 402. UNITED STATES AGENCY FOR INTERNATIONAL**
19 **DEVELOPMENT.**

20 Not more than \$1,521,900,000 is authorized to be
21 appropriated to the President for “Operating Expenses”,
22 “Capital Investment Fund”, and “Office of Inspector
23 General” of the United States Agency for International
24 Development for fiscal year 2012.

1 **SEC. 403. BILATERAL ECONOMIC ASSISTANCE.**

2 Not more than \$21,208,900,000 is authorized to be
3 appropriated to the President for “Bilateral Economic As-
4 sistance” for fiscal year 2012.

5 **SEC. 404. MICROFINANCE AND MICROENTERPRISE PRO-**
6 **GRAMS.**

7 It is the sense of Congress that—

8 (1) access to financial markets is essential to
9 economic growth;

10 (2) microfinance and microenterprise programs
11 have been successful in creating and expanding eco-
12 nomic opportunities by providing access to financial
13 markets and financial services, such credit, small
14 loans and savings services, to poor and vulnerable
15 populations, particularly women and the rural poor,
16 in developing countries;

17 (3) microfinance helps improve economic wel-
18 fare in poor households, and has been shown to raise
19 borrower income, stimulate the growth of the bor-
20 rower’s business, and generate employment; and

21 (4) the United States should support and en-
22 courage, wherever possible and appropriate, micro-
23 finance and microenterprise development and pro-
24 grams in order to help generate stable economic
25 growth in developing countries.

1 **SEC. 405. DEVELOPMENT CREDIT AUTHORITY.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-
3 gress that—

4 (1) access to financial services for underserved
5 populations and sectors in developing countries is es-
6 sential to expanding economic opportunities for poor
7 households and small businesses to build assets and
8 invest in enterprise development and growth; and

9 (2) the Development Credit Authority, through
10 the issuance of partial loan guarantees, has proven
11 to be a vital and effective tool in bolstering microen-
12 terprise development in impoverished countries by
13 reducing the risk of private investors and financial
14 institutions that invest in underserved sectors or
15 creditworthy borrowers that otherwise would not
16 qualify for such loans.

17 (b) LIMITATION ON AUTHORIZATION OF APPROPRIA-
18 TIONS.—Of the amounts authorized to be appropriated
19 under section 403, not more than \$8,300,000 is author-
20 ized to be appropriated to the President for administrative
21 expenses to carry out credit programs administered by the
22 United States Agency for International Development for
23 fiscal year 2012.

24 **SEC. 406. MILLENNIUM CHALLENGE CORPORATION.**

25 (a) LIMITATION ON AUTHORIZATION OF APPROPRIA-
26 TIONS.—Of the amounts authorized to be appropriated

1 under section 403, not more than \$900,000,000 is author-
2 ized to be appropriated to the President for necessary ex-
3 penses to carry out the provisions of the Millennium Chal-
4 lenge Act of 2003 for fiscal year 2012.

5 (b) MAINTAINING CANDIDATE STATUS FOR PUR-
6 POSES OF INCOME CATEGORY.—Section 606 of the Mil-
7 lennium Challenge Act of 2003 (22 U.S.C. 7705) is
8 amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d); and

11 (2) by inserting after subsection (b) the fol-
12 lowing:

13 “(c) MAINTAINING CANDIDATE STATUS.—Any can-
14 didate country whose per capita income changes in a given
15 fiscal year such that the country’s income-classification as
16 ‘low income’ or ‘lower middle income’ changes, should re-
17 tain its candidacy at the former income category only for
18 the year of such transition.”.

19 **SEC. 407. PROHIBITION ON ASSISTANCE TO COUNTRIES**
20 **THAT FAIL TO MEET THE MILLENNIUM CHAL-**
21 **LENGE CORPORATION’S CORRUPTION PER-**
22 **FORMANCE INDICATOR.**

23 (a) RESTRICTION.—Except as provided in paragraph
24 (2), no United States economic or development assistance
25 may be provided to the government of a country that does

1 not meet the corruption performance indicator of the Mil-
2 lennium Challenge Corporation used for purposes of deter-
3 mining eligibility for assistance under the Millennium
4 Challenge Act of 2003.

5 (b) WAIVER.—The President may waive the restric-
6 tion on assistance under paragraph (1) on a case-by-case
7 basis for a period of not more than 6 months if—

8 (1) the President determines that such a waiver
9 is important to the national security interests of
10 United States; and

11 (2) the President provides to the appropriate
12 congressional committees at least 15 days prior to
13 exercising the waiver a report on concrete steps that
14 the recipient country has undertaken to meet the
15 corruption benchmarks and on United States imple-
16 mentation and enforcement of end-use monitoring
17 mechanisms in the country to ensure United States
18 assistance provided is being used as intended.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
20 FINED.—In this section, the term “appropriate congres-
21 sional committees” means—

22 (1) the Committee on Foreign Affairs and the
23 Committee on Appropriations of the House of Rep-
24 resentatives; and

1 (2) the Committee on Foreign Relations and
2 the Committee on Appropriations of the Senate.

3 **SEC. 408. DEMOCRACY FUND.**

4 Of the amounts authorized to be appropriated under
5 section 403, not more than \$115,000,000 is authorized
6 to be appropriated to the President for necessary expenses
7 to carry out the provisions of the Foreign Assistance Act
8 of 1961 for the promotion of democracy globally for fiscal
9 year 2012.

10 **SEC. 409. REPORT ON AID COMMITMENTS AND DISBURSE-**
11 **MENTS BY OTHER DONORS AND INTER-**
12 **NATIONAL ORGANIZATIONS.**

13 Section 634 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2394) is amended—

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph (1),
17 by striking “Chairman of the Development Co-
18 ordination Committee” and insert “President”;

19 (B) by striking paragraphs (6) and (7);
20 and

21 (C) by redesignating paragraphs (8)
22 through (12) as paragraphs (6) through (10),
23 respectively; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(c) REPORT REQUIRED.—

2 “(1) IN GENERAL.—The President shall submit
3 to the appropriate congressional committees, at such
4 time that the President submits the annual budget
5 request under section 1105 of title 31, United States
6 Code, a report providing the most up-to-date and de-
7 tailed information on aid commitments and disburse-
8 ments by other donors and international organiza-
9 tions to countries and regions for which the Presi-
10 dent is seeking United States assistance funds.

11 “(2) USE OF READILY AVAILABLE RESOURCES
12 AND STATISTICS.—In carrying out this subsection,
13 the President shall utilize all readily available re-
14 sources and statistics, including information pro-
15 vided by such organizations as the Development As-
16 sistance Committee (DAC) of the Organization for
17 Economic Cooperation and Development (OECD).

18 “(3) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES DEFINED.—In this subsection, the term ‘ap-
20 propriate congressional committees’ means—

21 “(A) the Committee on Foreign Affairs of
22 the House of Representatives; and

23 “(B) the Committee on Foreign Relations
24 of the Senate.”.

1 **SEC. 410. TRANSFER OF LIQUIDATED ASSETS OF CERTAIN**
2 **ENTERPRISE FUNDS TO THE UNITED STATES**
3 **TREASURY.**

4 (a) TRANSFER OF LIQUIDATED ASSETS.—The Presi-
5 dent, acting through the Administrator of the United
6 States Agency for International Development, should
7 transfer to the Treasury of the United States for purposes
8 of payment on the public debt not less than 50 percent
9 of all assets from the liquidation, dissolution, or winding
10 up of each Enterprise Fund described in subsection (b).

11 (b) ENTERPRISE FUNDS DESCRIBED.—The Enter-
12 prise Funds described in this subsection are the following:

13 (1) The U.S.-Russia Investment Fund and the
14 Western Newly Independent States Enterprise Fund
15 established pursuant to section 498b(c) of the For-
16 eign Assistance Act of 1961 (22 U.S.C. 2295b(c)).

17 (2) The Baltic-American Enterprise Fund es-
18 tablished pursuant to section 201 of the Support for
19 East European Democracy (SEED) Act of 1989 (22
20 U.S.C. 5421).

21 (3) The South African Enterprise Development
22 Fund established pursuant to sections 496 and
23 635(b) of the Foreign Assistance Act of 1961.

1 **SEC. 411. LIMITATION ON FUNDS FOR UNITED STATES**
2 **AGENCY FOR INTERNATIONAL DEVELOP-**
3 **MENT'S OFFICE OF BUDGET AND RESOURCE**
4 **MANAGEMENT.**

5 (a) STATEMENT OF POLICY.—In order to better align
6 budget resources with United States foreign assistance
7 strategic priorities and objectives, to establish clearer lines
8 of authority and enhance accountability between agencies,
9 to reduce replication of foreign assistance programs, and
10 to ensure better efficiency and effectiveness of United
11 States foreign assistance programs, it shall be the policy
12 of the United States to vest budget authorities and policy
13 planning for all United States foreign assistance within
14 one office at the Department of State that shall complete
15 the Federal budgets for both the Department of State and
16 the United States Agency for International Development.

17 (b) OFFICE OF BUDGET AND RESOURCE MANAGE-
18 MENT.—None of the funds authorized to be appropriated
19 by this Act or any amendment made by this Act may be
20 used to support the costs of maintaining the Office of
21 Budget and Resource Management of the United States
22 Agency for International Development.

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the

1 President shall submit to Congress a report that
2 contains a feasibility study and strategy—

3 (A) to eliminate duplicative bureaus, of-
4 fices, and positions, including an assessment
5 and recommendations for the elimination of
6 special envoys and special representatives; and

7 (B) to consolidate such bureaus, offices,
8 and positions, as necessary and appropriate, in
9 a manner which maximizes efficiency and effec-
10 tiveness of United States foreign policy and as-
11 sistance.

12 (2) MATTERS TO BE INCLUDED.—The report
13 shall include a cost estimate for the establishment of
14 additional bureaus and offices of the Department of
15 State and the United States Agency for Inter-
16 national Development, as requested by the Secretary
17 of State in the most recent Quadrennial Diplomacy
18 and Development Review, with any cost offsets cre-
19 ated by the elimination of existing bureaus, offices,
20 and positions.

21 **SEC. 412. PREVENTING TAXPAYER FUNDING FOR FOREIGN**
22 **ORGANIZATIONS THAT PROMOTE OR PER-**
23 **FORM ABORTION.**

24 None of the funds authorized to be appropriated by
25 this Act or any amendment made by this Act may be made

1 available to any foreign nongovernmental organization
2 that promotes or performs abortion, except in cases of
3 rape or incest or when the life of the mother would be
4 endangered if the fetus were carried to term.

5 **SEC. 413. SENSE OF CONGRESS RELATING TO MICROEN-**
6 **TERPRISE DEVELOPMENT ASSISTANCE TO**
7 **SUB-SAHARAN AFRICA.**

8 (a) IN GENERAL.—It is the sense of Congress that—

9 (1) the United States Agency for International
10 Development should seek to increase the reach, im-
11 pact, and effectiveness of microenterprise develop-
12 ment assistance in sub-Saharan Africa;

13 (2) the United States Agency for International
14 Development should target half of all sustainable
15 poverty-focused programs under subsection (a) of
16 section 252 of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2211a) to the very poor, as required by
18 subsection (c) of such section; and

19 (3) the United States Agency for International
20 Development should seek to improve poverty assess-
21 ment tools used to provide microenterprise develop-
22 ment assistance so that the tools can assist the man-
23 agement and outreach of partner organizations to
24 the very poor.

1 (b) DEFINITION.—In this section, the term “microen-
 2 terprise development assistance” means assistance under
 3 title VI of chapter 2 of part I of the Foreign Assistance
 4 Act of 1961 (22 U.S.C. 2211 et seq.).

5 **TITLE V—UNITED STATES**
 6 **INTERNATIONAL BROAD-**
 7 **CASTING**

8 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS FOR**
 9 **INTERNATIONAL BROADCASTING.**

10 The following amounts are authorized to be appro-
 11 priated to carry out United States international broad-
 12 casting activities under the United States Information and
 13 Educational Exchange Act of 1948, the Radio Broad-
 14 casting to Cuba Act, the Television Broadcasting to Cuba
 15 Act, the United States International Broadcasting Act of
 16 1994, and the Foreign Affairs Reform and Restructuring
 17 Act of 1998, and to carry out other authorities in law con-
 18 sistent with such purposes:

19 (1) For “International Broadcasting Oper-
 20 ations”, \$741,500,000 for fiscal year 2012.

21 (2) For “Broadcasting Capital Improvements”,
 22 \$6,875,000 for fiscal year 2012.

23 **SEC. 502. PERSONAL SERVICES CONTRACTING PROGRAM.**

24 Section 504(c) of the Foreign Relations Authoriza-
 25 tion Act, Fiscal Year 2003, (Public Law 107–228; 22

1 U.S.C. 6206 note), is amended by striking “2009” and
2 inserting “2014”.

3 **SEC. 503. EMPLOYMENT FOR INTERNATIONAL BROAD-**
4 **CASTING.**

5 Section 804(1) of the United States Information and
6 Educational Exchange Act of 1948 (22 U.S.C. 1474(1))
7 is amended—

8 (1) by inserting after “suitably qualified United
9 States citizens” the following: “(for purposes of this
10 paragraph, the term ‘suitably qualified United
11 States citizens’ means those United States citizen
12 applicants who are equally or better qualified than
13 alien applicants)”; and

14 (2) by striking “Attorney General” and insert-
15 ing “Secretary of Homeland Security”.

16 **SEC. 504. TECHNICAL AMENDMENT RELATING TO CIVIL IM-**
17 **MUNITY FOR BROADCASTING BOARD OF GOV-**
18 **ERNORS MEMBERS.**

19 Section 304 of the United States International
20 Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended
21 by striking “Incorporated and Radio Free Asia” and in-
22 serting “Incorporated, Radio Free Asia, and Middle East
23 Broadcasting Networks”.

1 **TITLE VI—REPORTING**
2 **REQUIREMENTS**

3 **SEC. 601. REPORTING REFORM.**

4 The following provisions of law are repealed:

5 (1) Section 560(g) of Public Law 103–87.

6 (2) Section 605(c) of App. G, Public Law 106–
7 113.

8 (3) Section 104 of Public Law 102–511.

9 (4) Section 704(c) of Public Law 101–179.

10 (5) Section 1012(c) of Public Law 103–337.

11 (6) Subsections (c)(4) and (c)(5) of section 604
12 of Public Law 96–465.

13 (7) Section 585 in the matter under section
14 101(c) of Division A of Public Law 104–208.

15 (8) Sections 694(a), 694(b), 704, and 1321 of
16 Public Law 107–228.

17 (9) Sections 133(d) of Public Law 87–195.

18 (10) Sections 11(b) of Public Law 107–245.

19 (11) Section 514(a) of Public Law 103–236.

20 (12) Section 807 of Public Law 98–164.

21 **SEC. 602. DIPLOMATIC RELATIONS WITH ISRAEL.**

22 (a) STATEMENT OF POLICY.—It is the policy of the
23 United States to assist Israel in its efforts to establish
24 and enhance its diplomatic relations with other responsible

1 countries and to promote Israel's full participation in ap-
2 propriate multilateral forums.

3 (b) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act and annually for each of the
5 following three years, the Secretary of State shall submit
6 to the appropriate congressional committees a report that
7 includes the following information:

8 (1) Actions taken by representatives of the
9 United States to encourage other responsible coun-
10 tries to establish full diplomatic relations with Israel.

11 (2) Specific responses solicited and received by
12 the Secretary from countries that do not maintain
13 full diplomatic relations with Israel with respect to
14 their attitudes toward and plans for entering into
15 diplomatic relations with Israel.

16 (3) Actions taken by representatives of the
17 United States to encourage Israel's entry into appro-
18 priate regional and other groupings, encourage
19 Israel's election to governing bodies of appropriate
20 multilateral forums, and support Israel's member-
21 ship in appropriate multilateral forums.

22 (4) Other measures being undertaken, and
23 measures that will be undertaken, by the United
24 States to ensure and promote Israel's full participa-
25 tion in the world diplomatic community.

1 (c) FORM OF SUBMISSION.—Each report required
2 under subsection (b) shall be submitted in unclassified
3 form but may include a classified annex, if the Secretary
4 of State determines such is appropriate.

5 **TITLE VII—PROLIFERATION**
6 **SECURITY INITIATIVE**

7 **SEC. 701. AUTHORITY TO INTERDICT CERTAIN IMPORTS TO**
8 **AND EXPORTS FROM IRAN.**

9 The President is authorized to—

10 (1) utilize the Proliferation Security Initiative
11 and other measures necessary to enforce United
12 States laws and Executive Orders, and multilateral
13 and bilateral agreements, including the 2005 Pro-
14 tocol to the Convention for the Suppression of Un-
15 lawful Acts against the Safety of Maritime Naviga-
16 tion, for the purpose of interdicting the import into
17 or export from Iran by the Government of Iran or
18 any other country, entity, or person of any items,
19 materials, equipment, goods, or technology useful for
20 any nuclear, biological, chemical, missile, or conven-
21 tional arms program; and

22 (2) utilize ship boarding and other interdiction
23 agreements with countries determined to be nec-
24 essary to accomplish the purpose specified in para-
25 graph (1).

1 **SEC. 702. REPORT.**

2 (a) IN GENERAL.—Section 2 of the Iran, North
3 Korea, and Syria Nonproliferation Act (Public Law 106–
4 178; 50 U.S.C. 1701 note) is amended—

5 (1) in subsection (b), by striking “6-month pe-
6 riod” and inserting “120-day period”; and

7 (2) by adding at the end the following new sub-
8 section:

9 “(f) ADDITIONAL CONTENTS OF REPORTS.—Each
10 report under subsection (a) shall contain a description,
11 with respect the transfer or acquisition of the goods, serv-
12 ices, or technology described in such subsection, of the ac-
13 tions taken by foreign governments to assist in inter-
14 dicting such transfer or acquisition.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) take effect on the date of the enactment
17 of this Act and apply with respect to the first report re-
18 quired to be submitted under section 2 of the Iran, North
19 Korea, and Syria Nonproliferation Act after such date.

20 **SEC. 703. DEFINITIONS.**

21 In this title:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee of Foreign Affairs and
2 the Committee on Appropriations of the House
3 of Representatives; and

4 (B) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate.

7 (2) GOVERNMENT OF IRAN.—The term “Gov-
8 ernment of Iran” means—

9 (A) any official of the Government of Iran;

10 (B) any agency or instrumentality of the
11 Government of Iran;

12 (C) any entity that is owned or controlled,
13 directly or indirectly, by the Government of
14 Iran;

15 (D) any member or instrumentality of the
16 Iranian Revolutionary Guard Corps (IRGC); or

17 (E) any entity that is owned or controlled,
18 directly or indirectly by a member or instru-
19 mentality of the IRGC.

20 **TITLE VIII—MISCELLANEOUS**
21 **PROVISIONS**

22 **SEC. 801. BOUNDARY, WATER, AND FISHERIES COMMIS-**
23 **SIONS.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) The boundary, water, and fisheries commis-
2 sions funded using the funds authorized to be appro-
3 priated under section 104 are longstanding treaty-
4 and agreement-based organizations formed to ad-
5 dress important border, water, and fisheries resource
6 issues, and receive substantial financial support from
7 United States taxpayers.

8 (2) Although paragraph (g) of Article 24 of the
9 1944 Water Treaty between Mexico and the United
10 States (59 Stat. 1219) requires the International
11 Boundary and Water Commission (United States
12 and Mexico) to annually submit a joint report to the
13 United States and Mexican Governments, the last
14 English-language Annual Report was filed for 2006,
15 and contained no detail regarding the cost of the
16 Commission's particular activities or the specific al-
17 location of Commission resources.

18 (3) The International Joint Commission last
19 filed an Annual Report for 2008 which, although it
20 described past Commission projects and activities in
21 general terms, contained no detail regarding the cost
22 of its particular activities or the specific allocation of
23 Commission resources.

1 clear Security Administration and the China Atomic En-
2 ergy Authority.

3 **SEC. 803. ELIMINATION OF EAST-WEST CENTER.**

4 (a) PROHIBITION.—The Secretary of State may not
5 use any amounts authorized to be appropriated by this Act
6 to fund, make a grant to, provide assistance to, or other-
7 wise support the Center for Cultural and Technical Inter-
8 change Between East and West (commonly referred to as
9 the “East-West Center”).

10 (b) REPEAL.—The Center for Cultural and Technical
11 Interchange Between East and West Act of 1960 (chapter
12 VII of the Mutual Security Act of 1960; Public Law 86–
13 472) is repealed.

14 **SEC. 804. INSPECTOR GENERAL OF THE GLOBAL FUND.**

15 Section 202(d)(5) of the United States Leadership
16 Against HIV/AIDS, Tuberculosis, and Malaria Act of
17 2003 (22 U.S.C. 7622(d)(5)) is amended—

18 (1) in subparagraph (C)—

19 (A) by amending clause (ii) to read as fol-
20 lows:

21 “(ii) all reports of the Inspector Gen-
22 eral of the Global Fund, without editing,
23 restriction, or limitation, and in a manner
24 that is consistent with the Policy for Dis-
25 closure of Reports of the Inspector Gen-

1 eral, approved at the 16th Meeting of the
2 Board of the Global Fund, including a cer-
3 tification that no changes have been made
4 to the Policy that would restrict the In-
5 spector General’s ability to disclose the re-
6 sults of his or her work and the discretion
7 and authority of the Inspector General in
8 executing the functions of the Office has
9 not been limited, reduced, or minimized;”;
10 and

11 (B) in clause (iv), strike “to the Board”
12 and insert “to the Board, including Office of
13 the Inspector General Progress Reports”; and

14 (2) by amending subparagraph (D) to read as
15 follows:

16 “(D) is maintaining a fully independent,
17 well-staffed, and sufficiently resourced Office of
18 the Inspector General that—

19 “(i) reports directly to the Chair of
20 the Board of the Global Fund;

21 “(ii) compiles regular, publicly pub-
22 lished audits and investigations of finan-
23 cial, programmatic, and reporting aspects
24 of the Global Fund, its grantees, recipi-

1 ents, sub-recipients, contractors, suppliers,
2 and LFAs;

3 “(iii) documents incidents of harass-
4 ment, undue pressure, and interference in
5 its work and evidence of reprisal or retalia-
6 tion, so that appropriate corrective action
7 may be taken; and

8 “(iv) maintains a robust mandate to
9 conduct in-depth investigations and pro-
10 grammatic audits, free from undue restric-
11 tion, interference, harassment, and efforts
12 to undermine its authority;”.

13 **SEC. 805. ARAB LEAGUE BOYCOTT.**

14 It is the sense of Congress that—

15 (1) the Arab League boycott of Israel, and the
16 secondary boycott of United States firms that have
17 commercial ties with Israel, is an impediment to
18 peace in the region and to United States investment
19 and trade in the Middle East and North Africa;

20 (2) the Arab League boycott, which was regret-
21 tably reinstated in 1997, should be immediately and
22 publicly terminated, and the Central Office for the
23 Boycott of Israel immediately disbanded;

24 (3) all Arab League states should normalize re-
25 lations with their neighbor Israel;

1 (b) CONSULTATION.—The President shall, to the
2 maximum extent practicable, consult with the Government
3 of the Republic of Cyprus with respect to the provision
4 of United States assistance in Cyprus in order to ensure
5 the transparency of such assistance.

6 (c) REPORT MODIFICATION.—Section 620C(c) of the
7 Foreign Assistance Act of 1961 (22 U.S.C. 2373(c)) is
8 amended in the second sentence—

9 (1) by striking “60-day” the second place it ap-
10 pears and inserting “90-day”; and

11 (2) by inserting before the period at the end the
12 following: “, including a detailed description of pro-
13 grams and activities funded by the United States to
14 help achieve the reunification of Cyprus”.

15 **SEC. 807. LIMITATION ON ASSISTANCE TO THE FORMER**
16 **YUGOSLAV REPUBLIC OF MACEDONIA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Greece has demonstrated an enormous good
19 will gesture in agreeing that “Macedonia” may be
20 included in the future name of the Former Yugoslav
21 Republic of Macedonia (FYROM) as long as that
22 term is combined with a geographic qualifier that
23 makes it clear that there are no territorial ambitions
24 on the part of the FYROM with regard to the his-

1 torical boundaries of the Greek province of Mac-
2 edonia.

3 (2) The FYROM continues to utilize materials
4 that violate provisions of the United Nations-bro-
5 kered Interim Agreement between the FYROM and
6 Greece regarding incendiary rallies, rhetoric, or
7 propaganda, and United Nations-led negotiations be-
8 tween the FYROM and Greece have so far failed to
9 achieve the longstanding goals of the United States
10 and the United Nations to find a mutually accept-
11 able, new official name for the FYROM.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that all United States assistance to the FYROM
14 should be conditioned on the FYROM’s willingness to en-
15 gage in meaningful discussions with Greece in accordance
16 with United Nations Security Council Resolution 817.

17 (c) LIMITATION.—The Secretary of State may not
18 use funds authorized to be appropriated under this Act
19 for programs and activities that directly or indirectly pro-
20 mote incendiary rallies, rhetoric, or propaganda by state-
21 controlled agencies of the FYROM or encourage acts by
22 private entities likely to incite violence, hatred, or hostility,
23 including support for printing and publishing of textbooks,
24 maps, and teaching aids that may include inaccurate in-

1 (1) The Secretary of State, under the Inter-
2 national Religious Freedom Act of 1998 (22 U.S.C.
3 6401 et seq.) and authority delegated by the Presi-
4 dent, designates nations found guilty of “particularly
5 severe violations of religious freedom” as “Countries
6 of Particular Concern” (“CPC”).

7 (2) In November 2006, the Secretary of State
8 announced that the Socialist Republic of Vietnam
9 was no longer designated as a “Country of Par-
10 ticular Concern”.

11 (3) The Unified Buddhist Church of Vietnam
12 (UBCV), the Hoa Hao Buddhists, and the Cao Dai
13 groups continue to face unwarranted abuses because
14 of their attempts to organize independently of the
15 Government of Vietnam, including the detention and
16 imprisonment of individual members of these reli-
17 gious communities.

18 (4) In September 2009, Vietnamese police
19 cordoned off a Lang Mai Buddhist monastery, and
20 monks were beaten, degraded, and sexually assaulted
21 by undercover policemen and civilians.

22 (5) Protestants continue to face beatings and
23 other ill-treatment, harassment, fines, threats, and
24 forced renunciations of faith.

1 (6) According to Human Rights Watch, 355
2 Montagnard Protestants remain in prison, arrested
3 after 2001 and 2004 demonstrations for land rights
4 and religious freedom in the Central Highlands.

5 (7) According to the United States Commission
6 on International Religious Freedom, there are re-
7 ports that some Montagnard Protestants were im-
8 prisoned because of their religious affiliation or ac-
9 tivities or because religious leaders failed to inform
10 on members of their religious community who alleg-
11 edly participated in demonstrations.

12 (8) Ksor Tino, a Degar Christian, died on Sep-
13 tember 6, 2009, after being detained in a Plei Ku
14 city prison and being tortured repeatedly with elec-
15 tric prods and severe physical punishment for refus-
16 ing to join a government sanctioned religion.

17 (9) On November 11, 2010, hundreds of Viet-
18 namese police violently attacked a Catholic prayer
19 service in the Gia Lai Province, leaving 9 of the
20 beaten unconscious from strokes to the head.

21 (10) According to the United States Commis-
22 sion on International Religious Freedom 2010 An-
23 nual Report, religious freedom advocates and human
24 rights defenders Nguyen Van Dai, Le Thi Cong
25 Nhan, and Fr. Thaddeus Nguyen Van Ly are in

1 prison under Article 88 of the Criminal Code and
2 Fr. Phan Van Loi is being held without official de-
3 tention orders under house arrest.

4 (11) At least 15 individuals are being detained
5 in long term house arrest for reasons related to their
6 faith, including the most venerable Thich Quang Do
7 and most of the leadership of the UBCV.

8 (12) UBCV monks and youth groups leaders
9 are harassed and detained and charitable activities
10 are denied, Vietnamese officials discriminate against
11 ethnic minority Protestants by denying medical,
12 housing, and educational benefits to children and
13 families, an ethnic minority Protestant was beaten
14 to death for refusing to recant his faith, over 600
15 Hmong Protestant churches are refused legal rec-
16 ognition or affiliation, leading to harassment, deten-
17 tions, and home destructions, and a government
18 handbook on religion instructs government officials
19 to control existing religious practice, halt “enemy
20 forces” from “abusing religion” to undermine the
21 Vietnamese Government, and “overcome the extraor-
22 dinary growth of Protestantism.”

23 (13) Since August 2008, the Vietnamese Gov-
24 ernment has arrested and sentenced at least eight
25 individuals and beaten, tear-gassed, harassed, pub-

1 licily slandered, and threatened Catholics engaged in
2 peaceful activities seeking the return of Catholic
3 Church properties confiscated by the Vietnamese
4 Government after 1954 in Hanoi, including in the
5 Thai Ha parish.

6 (14) Local police and mobile “anti-riot” police
7 attacked a funeral procession in the Con Dau parish
8 on May 4, 2010, shooting tear gas and rubber bul-
9 lets, beating residents with batons and electric rods,
10 injuring 100, and killing at least one.

11 (15) The United States Commission on Inter-
12 national Religious Freedom, prominent nongovern-
13 mental organizations, and representative associations
14 of Vietnamese-American, Montagnard-American, and
15 Khmer-American organizations have called for the
16 redesignation of Vietnam as a CPC.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the Secretary of State should place Vietnam
20 on the list of “Countries of Particular Concern” for
21 particularly severe violations of religious freedom;
22 and

23 (2) the Government of Vietnam should lift re-
24 strictions on religious freedom and implement nec-

1 necessary legal and political reforms to protect religious
2 freedom.

3 **SEC. 810. STATE SPONSORSHIP OF TERRORISM BY ERI-**
4 **TREA.**

5 It is the sense of Congress that—

6 (1) given the growing security threat from al
7 Shabaab, a United States-designated foreign ter-
8 rorist organization, every effort should be made to
9 tackle its outside sources of support;

10 (2) Eritrea’s ongoing and well-documented sup-
11 port for armed insurgents in Somalia, including al
12 Shabaab, poses a significant threat to the national
13 security interests of the United States and East Af-
14 rican countries; and

15 (3) the Secretary of State should designate Eri-
16 trea as a state sponsor of terrorism pursuant to sec-
17 tion 6(j) of the Export Administration Act of 1979,
18 section 40 of the Arms Export Control Act, and sec-
19 tion 620A of the Foreign Assistance Act of 1961.

20 **SEC. 811. RIGHTS OF RELIGIOUS MINORITIES IN EGYPT.**

21 (a) STATEMENT OF CONGRESS.—Congress is con-
22 cerned about the state of religious freedom in Egypt and
23 the plight of religious minorities in the country, including
24 Coptic Christians.

1 (b) SENSE OF CONGRESS.—The Office of Inter-
2 national Religious Freedom and the Bureau of Democ-
3 racy, Human Rights and Labor at the Department of
4 State should dedicate all appropriate resources to pro-
5 moting the rights of religious minorities in Egypt.

6 **SEC. 812. THE REPUBLIC OF THE SUDAN AND THE REPUB-**
7 **LIC OF SOUTH SUDAN.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The United States was a witness to the
10 2005 Comprehensive Peace Agreement (CPA), which
11 marked the end of more than two decades of civil
12 war between North and South Sudan that resulted
13 in the deaths of more than 2,000,000 people.

14 (2) The CPA provided the framework for a his-
15 toric referendum to determine the future status of
16 South Sudan held between January 9, 2011, and
17 January 15, 2011.

18 (3) On February 7, 2011, the Southern Sudan
19 Referendum Commission announced that the people
20 of South Sudan voted in favor of succession from
21 the Republic of the Sudan by a margin of 98.8 per-
22 cent in a credible and transparent vote.

23 (4) The mandate for the United Nations Mis-
24 sion in Sudan (UNMIS), which was established by
25 United Nations Security Council Resolution 1590 on

1 March 24, 2005, and was instrumental in sup-
2 porting the implementation of the CPA, expired on
3 July 9, 2011, with the completion of the CPA In-
4 terim Period.

5 (5) The mandate for the United Nations Mis-
6 sion in South Sudan (UNMISS), as established by
7 United Nations Security Council Resolution 1996
8 (2011), commenced on July 9, 2011.

9 (6) Several outstanding issues relating to CPA
10 implementation and potential points of conflict re-
11 main unresolved between North and South Sudan,
12 including the final status of the contested area of
13 Abyei, ongoing violence in Southern Kordofan and
14 Blue Nile, disputed border areas, citizenship rights
15 and nationality, division of oil resources and profits,
16 currency, international debt and assets, the libera-
17 tion of slaves from South Sudan still held in Sudan,
18 and other matters.

19 (7) Lasting peace and stability for the region
20 cannot be realized until all outstanding elements of
21 the CPA are dealt with in a fair and peaceful man-
22 ner and a comprehensive peace is secured in Darfur.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the independence of the Republic of South
2 Sudan represents an historic opportunity for peace
3 in the region and the people of South Sudan should
4 be commended for freely and peacefully expressing
5 their desire for independence through a credible and
6 transparent referendum;

7 (2) the people and leaders of South Sudan
8 should be commended for their efforts to reach this
9 historic milestone;

10 (3) all parties should continue to work to re-
11 solve outstanding matters relating to implementation
12 of the Comprehensive Peace Agreement for Sudan,
13 including the final status of Abyei, disputed border
14 areas, the completion of popular consultations and
15 security arrangements in Southern Kordofan and
16 Blue Nile, citizenship and nationality, division of oil
17 resources and profits, currency, international debt
18 and assets, the liberation of slaves from South
19 Sudan still held in Sudan, and other matters in
20 order to ensure a smooth transition to two states
21 and to mitigate points of conflict;

22 (4) all parties should fully implement their
23 June 20, 2011, agreement on temporary arrange-
24 ments for the contested Abyei area and swiftly es-

1 establish a cessation of hostilities in Southern
2 Kordofan;

3 (5) the deployment of up to 4,200 Ethiopian
4 peacekeepers to Abyei and the new United Nations
5 Mission in South Sudan (UNMISS) are expected to
6 help provide security and stability in the region;

7 (6) peace, rule of law, security, and good gov-
8 ernance should be promoted throughout Sudan and
9 South Sudan, particularly efforts to—

10 (A) advance security and stability in both
11 countries, especially in critical areas such as
12 Darfur, Blue Nile, and Southern Kordofan and
13 in Abyei;

14 (B) promote respect for the human and
15 civil rights of all, including southerners living in
16 Sudan and northerners living in South Sudan;

17 (C) encourage the development of multi-
18 party democracy, vibrant democratic institu-
19 tions, and freedom of speech and association;

20 (D) prevent extremists groups from ex-
21 ploiting the territories of Sudan and South
22 Sudan and encourage full cooperation with the
23 United States on counterterrorism priorities;
24 and

1 (E) encourage a productive relationship be-
2 tween Sudan and South Sudan that recognizes
3 the mutual need for cooperation and an open
4 flow of people and goods across borders and to
5 refrain from the use of proxy forces to foment
6 conflict; and

7 (7) the Darfur peace process should remain a
8 priority in United States relations with Sudan, par-
9 ticularly with regard to efforts to secure a just and
10 lasting peace in Darfur, humanitarian access to vul-
11 nerable populations, and freedom of movement for
12 the African Union-United Nations Mission in Darfur
13 (UNAMID).

14 **TITLE IX—SECURITY**

15 **ASSISTANCE**

16 **SEC. 901. SHORT TITLE.**

17 This title may be cited as the “Security Assistance
18 Act of 2011”.

19 **Subtitle A—Military Assistance and**

20 **Related Matters**

21 **PART I—FUNDING AUTHORIZATIONS**

22 **SEC. 911. FOREIGN MILITARY FINANCING PROGRAM.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to the President for
25 grant assistance under section 23 of the Arms Export

1 Control Act (22 U.S.C. 2763), \$6,374,000,000 for fiscal
2 year 2012.

3 (b) ASSISTANCE FOR ISRAEL.—

4 (1) SENSE OF CONGRESS.—It is the sense of
5 Congress that the United States should continue to
6 support the August 2007 announcement that it
7 would increase United States military assistance to
8 Israel by \$6 billion through incremental \$150 mil-
9 lion annual increases in Foreign Military Financing
10 program assistance to Israel, starting at \$2.55 bil-
11 lion in fiscal year 2009 and reaching \$3.15 billion
12 in each of the fiscal years 2013 through 2018.

13 (2) AMENDMENTS.—Section 513(c) of the Se-
14 curity Assistance Act of 2000 (Public Law 106–280;
15 114 Stat. 856), as amended by section 1221(a) of
16 the Security Assistance Act of 2002 (division B of
17 Public Law 107–228; 116 Stat. 1430), is further
18 amended—

19 (A) in paragraph (1)—

20 (i) by striking “each of the fiscal
21 years 2002 and 2003” and inserting “fis-
22 cal year 2012”; and

23 (ii) by striking “each such fiscal year”
24 and inserting “such fiscal year”;

1 (B) in paragraph (3), by striking “Funds
2 authorized” and all that follows through
3 “later.” and inserting “Funds authorized to be
4 available for Israel under subsection (b)(1) and
5 paragraph (1) of this subsection for fiscal year
6 2012 shall be disbursed not later than 30 days
7 after the date of the enactment of an Act mak-
8 ing appropriations for foreign operations, export
9 financing, and related programs for fiscal year
10 2012, or October 31, 2011, whichever is later”;
11 and

12 (C) in paragraph (4)—

13 (i) by striking “fiscal years 2002 and
14 2003” and inserting “fiscal year 2012”;
15 and

16 (ii) by striking “\$535,000,000 for fis-
17 cal year 2002 and not less than
18 \$550,000,000 for fiscal year 2003” and in-
19 serting “not less than \$3,075,000,000 for
20 fiscal year 2012”.

21 (c) ASSISTANCE FOR IRAQ.—

22 (1) FINDINGS.—Congress finds the following:

23 (A) United States support for the security
24 of the Government of Iraq remains critical for

1 the long-term success of United States efforts
2 in that country.

3 (B) United States security assistance from
4 the Iraq Security Forces Fund (ISFF) account
5 administered by the Department of Defense has
6 been discontinued in H.R. 2219, the Depart-
7 ment of Defense Appropriations Act, 2012, as
8 passed the House of Representatives, with the
9 intent of transitioning responsibility for such
10 activities to the Foreign Military Financing pro-
11 gram administered by the Department of State.

12 (C) The ISFF account was funded at \$1.5
13 billion for fiscal year 2011 under the Depart-
14 ment of Defense and Full-Year Continuing Ap-
15 propriations Act, 2011.

16 (D) The request for Foreign Military Fi-
17 nancing program assistance for the Government
18 of Iraq for fiscal year 2012 is \$1 billion mark-
19 ing a \$500 million reduction from previous lev-
20 els of security assistance for Iraq.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—Of
22 the amounts authorized to be appropriated under
23 subsection (a), \$1,000,000,000 is authorized to be
24 appropriated to the President for grant assistance
25 under section 23 of the Arms Export Control Act

1 (22 U.S.C. 2763) for the Government of Iraq for fis-
2 cal year 2012.

3 (3) REPORT.—Not later than 90 days after the
4 date of enactment of this Act, the Comptroller Gen-
5 eral of the United States shall submit to the appro-
6 priate congressional committees a report that—

7 (A) reviews and comments on the grant as-
8 sistance provided under section 23 of the Arms
9 Export Control Act (22 U.S.C. 2763) for the
10 Government of Iraq for fiscal year 2012;

11 (B) includes the amount of such grant as-
12 sistance that is unobligated or unexpended as of
13 such date; and

14 (C) provides recommendations regarding
15 additional actions to ensure greater account-
16 ability and transparency with respect to the
17 provision of United States assistance to Iraq.

18 **SEC. 912. INTERNATIONAL MILITARY EDUCATION AND**
19 **TRAINING.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 542 of the Foreign Assistance Act of 1961 (22 U.S.C.
22 2347a) is amended by striking “There are authorized”
23 and all that follows through “fiscal year 1987” and insert-
24 ing “There are authorized to be appropriated to the Presi-

1 dent to carry out the purposes of this chapter
2 \$105,800,000 for fiscal year 2012”.

3 (b) AUTHORITY TO PROVIDE TO INTERNATIONAL
4 ORGANIZATIONS.—Section 541 of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2347) is amended in the first sen-
6 tence by adding at the end before the period the following:
7 “and comparable personnel of regional and sub-regional
8 organizations for the purposes of contributing to peace-
9 keeping operations”.

10 **PART II—MILITARY ASSISTANCE AUTHORITIES**
11 **AND RELATED PROVISIONS**

12 **SEC. 921. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**
13 **TICLES.**

14 Section 516(g)(1) of the Foreign Assistance Act of
15 1961 (22 U.S.C. 2321j(g)(1)) is amended—

16 (1) by inserting “authorized to be” before
17 “transferred”; and

18 (2) by striking “425,000,000” and inserting
19 “450,000,000”.

20 **SEC. 922. ANNUAL MILITARY ASSISTANCE REPORT.**

21 (a) INFORMATION RELATING TO MILITARY ASSIST-
22 ANCE AND MILITARY EXPORTS.—Section 655(b) of the
23 Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is
24 amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “whether such defense articles—” and in-
3 sserting “the following:”

4 (2) in paragraph (1)—

5 (A) by inserting “Whether such defense ar-
6 ticles” before “were”; and

7 (B) by striking the semicolon at the end
8 and inserting a period;

9 (3) in paragraph (2)—

10 (A) by inserting “Whether such defense ar-
11 ticles” before “were”; and

12 (B) by striking “; or” at the end and in-
13 sserting a period; and

14 (4) by striking paragraph (3) and inserting the
15 following:

16 “(3) Whether such defense articles were ex-
17 ported without a license under section 38 of the
18 Arms Export Control Act pursuant to an exemption
19 established under the International Traffic in Arms
20 Regulations, other than defense articles exported in
21 furtherance of a letter of offer and acceptance under
22 the Foreign Military Sales program or a technical
23 assistance or manufacturing license agreement, in-
24 cluding the specific exemption in the regulation
25 under which the export was made.

1 “(4) A detailed listing, by United States Muni-
2 tions List category and sub-category, as well as by
3 country and by international organization, of the ac-
4 tual total dollar value of major defense equipment
5 and defense articles delivered pursuant to licenses
6 authorized under section 38 of the Arms Export
7 Control Act for the previous fiscal year.

8 “(5) In the case of defense articles that are
9 firearms controlled under category I of the United
10 States Munitions List, a statement of the aggregate
11 dollar value and quantity of semiautomatic assault
12 weapons, or spare parts for such weapons, the man-
13 ufacture, transfer, or possession of which is unlawful
14 under section 922 of title 18, United States Code,
15 that were licensed for export during the period cov-
16 ered by the report.”.

17 (b) INFORMATION NOT REQUIRED.—Section 655 of
18 the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is
19 amended—

20 (1) by redesignating subsection (c) as sub-
21 section (d); and

22 (2) by inserting after subsection (b) the fol-
23 lowing:

24 “(c) INFORMATION NOT REQUIRED.—Each such re-
25 port may exclude information relating to—

1 “(1) exports of defense articles (including ex-
2 cess defense articles), defense services, and inter-
3 national military education and training activities
4 authorized by the United States on a temporary
5 basis;

6 “(2) exports of such articles, services, and ac-
7 tivities to United States Government end users lo-
8 cated in foreign countries; and

9 “(3) and the value of manufacturing license
10 agreements or technical assistance agreements li-
11 censed under section 38 of the Arms Export Control
12 Act.”.

13 **SEC. 923. ANNUAL REPORT ON FOREIGN MILITARY TRAIN-**
14 **ING.**

15 Section 656(a)(1) of the Foreign Assistance Act of
16 1961 (22 U.S.C. 2416(a)(1)) is amended—

17 (1) by striking “January 31” and inserting
18 “March 1”; and

19 (2) by striking “and all such training proposed
20 for the current fiscal year”.

21 **SEC. 924. GLOBAL SECURITY CONTINGENCY FUND.**

22 (a) **AUTHORITY.**—

23 (1) **IN GENERAL.**—The Secretary of State, with
24 the concurrence of the Secretary of Defense, is au-
25 thorized to establish a fund, to be known as the

1 Global Security Contingency Fund, which shall con-
2 sist of such amounts as may be contributed under
3 paragraph (2) to the fund, to provide assistance to
4 a foreign country described in subsection (b) for the
5 purposes described in subsection (c). The program
6 authorized under this subsection shall be jointly fi-
7 nanced and carried out by the Department of State
8 and the Department of Defense in accordance with
9 the requirements of this section.

10 (2) CONTRIBUTIONS TO FUND.—

11 (A) IN GENERAL.—For each of fiscal years
12 2012 through 2015, the Secretary of State and
13 the Secretary of Defense may contribute not
14 more than \$300,000,000 of amounts made
15 available to carry out the provisions of law de-
16 scribed in subsection (d).

17 (B) AVAILABILITY.—Notwithstanding any
18 other provision of law, amounts contributed
19 under this paragraph to the fund shall be
20 merged with amounts in the fund and shall be
21 available for purposes of carrying out the pro-
22 gram authorized under this subsection.

23 (3) LIMITATION.—The authority of this sub-
24 section may not be exercised with respect to a fiscal
25 year until—

1 (A) the Secretary of State contributes to
2 the fund not less than one-third of the total
3 amount contributed to the fund for the fiscal
4 year; and

5 (B) the Secretary of Defense contributes to
6 the fund not more than two-thirds of the total
7 amount contributed to the fund for the fiscal
8 year.

9 (4) RULE OF CONSTRUCTION.—The ratios of
10 contributions described in paragraph (3) shall be de-
11 termined at the beginning of a fiscal year and may
12 not be determined on a project-by-project basis.

13 (b) ELIGIBLE FOREIGN COUNTRIES.—A foreign
14 country described in this subsection is a country that is
15 designated by the Secretary of State, with the concurrence
16 of the Secretary of Defense, and is eligible to receive as-
17 sistance under one or more of the provisions of law de-
18 scribed in subsection (d).

19 (c) PURPOSE OF PROGRAM.—The program author-
20 ized under subsection (a) may provide assistance to en-
21 hance the capabilities of military forces, and other security
22 forces that conduct border and maritime security, and
23 counterterrorism operations, as well as the government
24 agencies responsible for such forces, in order to strengthen

1 a foreign country's national and regional security interests
2 consistent with United States foreign policy interests.

3 (d) PROVISIONS OF LAW DESCRIBED.—The provi-
4 sions of law described in this subsection are the following:

5 (1) Section 1206 of the National Defense Au-
6 thorization Act for Fiscal Year 2006 (Public Law
7 109–163; 119 Stat. 3456; relating to program to
8 build the capacity of foreign military forces).

9 (2) Section 1033 of the National Defense Au-
10 thorization Act for Fiscal Year 1998 (Public Law
11 105–85; 111 Stat. 1881; relating to authority to
12 provide additional support for counter-drug activities
13 of other countries).

14 (3) Amounts authorized to be appropriated by
15 section 301 for operation and maintenance, Defense-
16 wide activities, and available for the Defense Secu-
17 rity Cooperation Agency for the Warsaw Initiative
18 Funds (WIF) for the participation of the North At-
19 lantic Treaty Organization (NATO) members in the
20 exercises and programs of the Partnership for Peace
21 program of the North Atlantic Treaty Organization.

22 (4) Section 23 of the Arms Export Control Act
23 (22 U.S.C. 2763; relating to foreign military financ-
24 ing program).

1 (5) Section 481 of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2291; relating to international
3 narcotics control and law enforcement).

4 (6) Chapter 5 of part II of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C. 2347 et seq.; relating
6 to international military education and training pro-
7 gram).

8 (7) Chapter 8 of part II of the Foreign Assist-
9 ance Act of 1961 (22 U.S.C. 2349aa et seq.; relating
10 to antiterrorism assistance).

11 (e) FORMULATION AND EXECUTION OF PROGRAM.—

12 (1) IN GENERAL.—The program authorized
13 under subsection (a)—

14 (A) shall be jointly formulated by the Sec-
15 retary of State and the Secretary of Defense;
16 and

17 (B) shall, prior to its implementation, be
18 approved by the Secretary of State, with the
19 concurrence of the Secretary of Defense.

20 (2) REQUIRED ELEMENTS.—The program au-
21 thorized under subsection (a) shall include elements
22 that promote—

23 (A) observance of and respect for human
24 rights and fundamental freedoms; and

1 (B) respect for legitimate civilian author-
2 ity.

3 (f) RELATED AUTHORITIES.—

4 (1) IN GENERAL.—The program authorized
5 under subsection (a) shall be—

6 (A) jointly financed by the Secretary of
7 State and the Secretary of Defense through
8 amounts contributed to the fund under sub-
9 section (a)(2) from one or more provisions of
10 law described in subsection (d) under which the
11 foreign country is eligible to receive assistance;
12 and

13 (B) carried out under the authorities of
14 such provisions of law and the authorities of
15 this section.

16 (2) ADMINISTRATIVE AUTHORITIES.—Funds
17 made available under a program authorized under
18 subsection (a) shall be subject to the same adminis-
19 trative authorities as apply to funds made available
20 to carry out the Foreign Assistance Act of 1961 (22
21 U.S.C. 2151 et seq.).

22 (3) LIMITATION ON ELIGIBLE COUNTRIES.—
23 The program authorized under subsection (a) may
24 not include the provision of assistance to—

1 (A) any foreign country that is otherwise
2 prohibited from receiving such assistance under
3 any other provision of law; or

4 (B) Iraq, Afghanistan, or Pakistan.

5 (g) CONGRESSIONAL NOTIFICATION.—

6 (1) IN GENERAL.—Not less than 15 days before
7 implementing an activity under the program author-
8 ized under subsection (a), the Secretary of State,
9 with the concurrence of the Secretary of Defense,
10 shall submit to the congressional committees speci-
11 fied in paragraph (2) a notification of—

12 (A) the name of the country with respect
13 to which the activity will be implemented; and

14 (B) the budget, implementation timeline
15 with milestones, and completion date for the ac-
16 tivity.

17 (2) SPECIFIED CONGRESSIONAL COMMIT-
18 TEES.—The congressional committees specified in
19 this paragraph are—

20 (A) the Committee on Armed Services, the
21 Committee on Foreign Relations, and the Com-
22 mittee on Appropriations of the Senate; and

23 (B) the Committee on Armed Services, the
24 Committee on Foreign Affairs, and the Com-

1 (2) EQUATORIAL GUINEA AND SOMALIA.—The
2 President may not use funds made available to carry
3 out chapter 5 of part II of the Foreign Assistance
4 Act of 1961 (22 U.S.C. 2347 et seq.) for fiscal year
5 2012 for assistance to Equatorial Guinea or Soma-
6 lia.

7 (3) TRAINING.—The President may use funds
8 made available to carry out chapter 5 of part II of
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
10 et seq.) for fiscal year 2012 for assistance to Angola,
11 Cameroon, the Central African Republic, Chad, Cote
12 d’Ivoire, Guinea, or Zimbabwe only for training re-
13 lated to international peacekeeping operations or ex-
14 panded international military education and train-
15 ing.

16 (4) NOTIFICATION.—

17 (A) IN GENERAL.—The President shall no-
18 tify the appropriate congressional committees at
19 least 15 days in advance of making funds de-
20 scribed in subparagraph (B) available for as-
21 sistance to Angola, Bangladesh, Cameroon, the
22 Central African Republic, Chad, Cote d’Ivoire,
23 Democratic Republic of the Congo, Ethiopia,
24 Guatemala, Guinea, Haiti, Kenya, Libya,
25 Nepal, Nigeria, or Sri Lanka. A notification

1 under this subparagraph shall include a detailed
2 description of activities that are proposed to be
3 carried out using such assistance.

4 (B) FUNDS DESCRIBED.—Funds referred
5 to in subparagraph (A) are funds made avail-
6 able to carry out chapter 5 of part II of the
7 Foreign Assistance Act of 1961 (22 U.S.C.
8 2347 et seq.) for fiscal year 2012.

9 (5) ENTERTAINMENT ALLOWANCES.—The
10 President may use not more than \$55,000 of funds
11 made available to carry out chapter 5 of part II of
12 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
13 et seq.) for fiscal year 2012 for entertainment allow-
14 ances.

15 (b) REPORTING REQUIREMENT.—Not later than
16 April 1, 2012, and each fiscal quarter thereafter for the
17 following two years, the President shall submit to the ap-
18 propriate congressional committees a report on the use of
19 funds made available to carry out chapter 5 of part II
20 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347
21 et seq.), including a description of the obligation and ex-
22 penditure of such funds, and the specific countries in re-
23 ceipt of, and the use or purpose of the assistance provided
24 by, such funds.

1 **PART III—ARMS EXPORT CONTROL ACT**
2 **AMENDMENTS AND RELATED PROVISIONS**
3 **SEC. 931. INCREASED FLEXIBILITY FOR USE OF DEFENSE**
4 **TRADE CONTROL REGISTRATION FEES.**

5 (a) IN GENERAL.—Section 45 of the State Depart-
6 ment Basic Authorities Act of 1956 (22 U.S.C. 2717) is
7 amended—

8 (1) in the first sentence—

9 (A) by striking “For” and inserting “(a)
10 IN GENERAL.—For”; and

11 (B) by striking “Office” and inserting “Di-
12 rectorate”; and

13 (2) by amending the second sentence to read as
14 follows:

15 “(b) AVAILABILITY OF FEES.—Fees credited to the
16 account referred to in subsection (a) shall be available only
17 for payment of expenses incurred for—

18 “(1) management;

19 “(2) licensing;

20 “(3) compliance;

21 “(4) policy activities; and

22 “(5) public outreach.”.

23 (b) CONFORMING AMENDMENT.—Section
24 38(b)(3)(A) of the Arms Export Control Act (22 U.S.C.
25 2778(b)(3)(A)) is amended to read as follows:

1 “(3)(A) For each fiscal year, 100 percent of
2 registration fees collected pursuant to paragraph (1)
3 shall be credited to a Department of State account,
4 to be available without fiscal year limitation. Fees
5 credited to that account shall be available only for
6 the payment of expenses incurred for—

7 “(i) management;

8 “(ii) licensing;

9 “(iii) compliance;

10 “(iv) policy activities; and

11 “(v) public outreach.”.

12 **SEC. 932. INCREASE IN CONGRESSIONAL NOTIFICATION**
13 **THRESHOLDS.**

14 (a) FOREIGN MILITARY SALES.—

15 (1) IN GENERAL.—Section 36(b) of the Arms
16 Export Control Act (22 U.S.C. 2776(b)) is amend-
17 ed—

18 (A) in paragraph (1)—

19 (i) by striking “\$50,000,000” and in-
20 serting “\$100,000,000”;

21 (ii) by striking “\$200,000,000” and
22 inserting “\$300,000,000”; and

23 (iii) by striking “\$14,000,000” and
24 inserting “\$25,000,000”;

1 (B) by redesignating paragraphs (2)
2 through (6) as paragraphs (3) through (7), re-
3 spectively; and

4 (C) by striking “The letter of offer shall
5 not be issued” and all that follows through “en-
6 acts a joint resolution” and inserting the fol-
7 lowing:

8 “(2) The letter of offer shall not be issued—

9 “(A) with respect to a proposed sale of any
10 defense articles or defense services under this
11 Act for \$200,000,000 or more, any design and
12 construction services for \$300,000,000 or more,
13 or any major defense equipment for
14 \$75,000,000 or more, to the North Atlantic
15 Treaty Organization (NATO), any member
16 country of NATO, Japan, Australia, the Repub-
17 lic of Korea, Israel, or New Zealand, if Con-
18 gress, within 15 calendar days after receiving
19 such certification, or

20 “(B) with respect to a proposed sale of any
21 defense articles or services under this Act for
22 \$100,000,000 or more, any design and con-
23 struction services for \$200,000,000 or more, or
24 any major defense equipment for \$50,000,000
25 or more, to any other country or organization,

1 if Congress, within 30 calendar days after re-
2 ceiving such certification,
3 enacts a joint resolution”.

4 (2) TECHNICAL AND CONFORMING AMEND-
5 MENTS.—Section 36 of the Arms Export Control
6 Act (22 U.S.C. 2776) is amended—

7 (A) in subsection (b)—

8 (i) in paragraph (6)(C) (as redesignig-
9 nated), by striking “Subject to paragraph
10 (6), if” and inserting “If”; and

11 (ii) by striking paragraph (7) (as re-
12 designated); and

13 (B) in subsection (c)(4), by striking “sub-
14 section (b)(5)” each place it appears and insert-
15 ing “subsection (b)(6)”.

16 (b) COMMERCIAL SALES.—Section 36(c) of the Arms
17 Export Control Act (22 U.S.C. 2776(c)) is amended—

18 (1) in paragraph (1)—

19 (A) by striking “Subject to paragraph (5),
20 in” and inserting “In”;

21 (B) by striking “\$14,000,000” and insert-
22 ing “\$25,000,000”; and

23 (C) by striking “\$50,000,000” and insert-
24 ing “\$100,000,000”;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A)—

2 (i) by inserting after “for an export”
3 the following: “of any major defense equip-
4 ment sold under a contract in the amount
5 of \$75,000,000 or more or of defense arti-
6 cles or defense services sold under a con-
7 tract in the amount of \$200,000,000 or
8 more, (or, in the case of a defense article
9 that is a firearm controlled under category
10 I of the United States Munitions List,
11 \$1,000,000 or more)”; and

12 (ii) by striking “Organization,” and
13 inserting “Organization (NATO),” and by
14 further striking “that Organization” and
15 inserting “NATO”; and

16 (B) in subparagraph (C), by inserting after
17 “license” the following: “for an export of any
18 major defense equipment sold under a contract
19 in the amount of \$50,000,000 or more or of de-
20 fense articles or defense services sold under a
21 contract in the amount of \$100,000,000 or
22 more, (or, in the case of a defense article that
23 is a firearm controlled under category I of the
24 United States Munitions List, \$1,000,000 or
25 more)”; and

1 (3) by striking paragraph (5); and
2 (4) by redesignating paragraph (6) as para-
3 graph (5).

4 **SEC. 933. RETURN OF DEFENSE ARTICLES.**

5 Section 21(m)(1)(B) of the Arms Export Control Act
6 (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the
7 end before the semicolon the following: “, unless the Sec-
8 retary of State has provided prior approval of such re-
9 transfer”.

10 **SEC. 934. ANNUAL ESTIMATE AND JUSTIFICATION FOR**
11 **SALES PROGRAM.**

12 Section 25(a)(3) of the Arms Export Control Act (22
13 U.S.C. 2765(a)(3)) is amended by striking by adding at
14 the end before the semicolon the following: “, as well as
15 any plan for regional security cooperation developed in
16 consultation with Embassy Country Teams and the De-
17 partment of State”.

18 **SEC. 935. UPDATING AND CONFORMING PENALTIES FOR**
19 **VIOLATIONS OF SECTIONS 38 AND 39 OF THE**
20 **ARMS EXPORT CONTROL ACT.**

21 (a) IN GENERAL.—Section 38(c) of the Arms Export
22 Control Act (22 U.S.C. 2778(c)) is amended to read as
23 follows:

24 “(c) VIOLATIONS OF THIS SECTION AND SECTION
25 39.—

1 “(1) UNLAWFUL ACTS.—It shall be unlawful
2 for any person to violate, attempt to violate, conspire
3 to violate, or cause a violation of any provision of
4 this section or section 39, or any rule or regulation
5 issued under either section, or a treaty referred to
6 in subsection (j)(1)(c)(i), including any rule or regu-
7 lation issued to implement or enforce a treaty re-
8 ferred to in subsection (j)(1)(c)(i) or an imple-
9 menting arrangement pursuant to such a treaty, or
10 who, in a registration or license application or re-
11 quired report, makes any untrue statement of a ma-
12 terial fact or omits to state a material fact required
13 to be stated therein or necessary to make the state-
14 ments therein not misleading.

15 “(2) CRIMINAL PENALTIES.—A person who
16 willfully commits an unlawful act described in para-
17 graph (1) shall upon conviction—

18 “(A) be fined for each violation in an
19 amount not to exceed \$1,000,000, or

20 “(B) in the case of a natural person, im-
21 prisoned for not more than 20 years or both.”.

22 (b) MECHANISMS TO IDENTIFY VIOLATORS.—Sec-
23 tion 38(g) of the Arms Export Control Act (22 U.S.C.
24 2778(g)) is amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause (i),
3 by inserting “or otherwise charged” after
4 “indictment”;

5 (ii) in clause (xi), by striking “or” at
6 the end; and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(xiii) section 542 of title 18, United
10 States Code, relating to entry of goods by
11 means of false statements;

12 “(xiv) section 554 of title 18, United
13 States Code, relating to smuggling goods
14 from the United States;

15 “(xv) section 1831 of title 18, United
16 States Code, relating to economic espio-
17 nage;

18 “(xvi) section 545 of title 18, United
19 States Code, relating to smuggling goods
20 into the United States;

21 “(xvii) section 78dd3 of title 15,
22 United States Code, relating to prohibited
23 foreign trade practices by persons other
24 than issuers or domestic concerns;

1 sion, regardless of whether such persons maintain
2 such nationality or the nationality of another coun-
3 try not covered by this section” after “with respect
4 to a country.”; and

5 (2) by adding at the end the following: “For
6 purposes of this subsection, the term ‘national’
7 means an individual who acquired citizenship by
8 birth from a country that is subject to section 126.1
9 of title 22, Code of Federal Regulations (or any suc-
10 cessor regulations).”.

11 **SEC. 937. EXEMPTION FOR TRANSACTIONS WITH COUN-**
12 **TRIES SUPPORTING ACTS OF INTER-**
13 **NATIONAL TERRORISM.**

14 Section 40(h) of the Arms Export Control Act (22
15 U.S.C. 2780(h)) is amended—

16 (1) in the heading—

17 (A) by striking “EXEMPTION” and insert-
18 ing “EXEMPTIONS”; and

19 (B) by adding “AND CERTAIN FEDERAL
20 LAW ENFORCEMENT ACTIVITIES” after “RE-
21 PORTING REQUIREMENTS”; and

22 (2) by adding at the end before the period the
23 following: “or with respect to Federal law enforce-
24 ment activities undertaken to further the investiga-
25 tion of violations of this Act”.

1 **SEC. 938. REPORT ON FOREIGN MILITARY FINANCING PRO-**
2 **GRAM.**

3 Section 23 of the Arms Export Control Act (22
4 U.S.C. 2763) is amended by adding at the end the fol-
5 lowing:

6 “(i) REPORT.—

7 “(1) IN GENERAL.—The President shall trans-
8 mit to the appropriate congressional committees as
9 part of the supporting materials of the annual con-
10 gressional budget justification a report on the imple-
11 mentation of this section for the prior fiscal year.

12 “(2) MATTERS TO BE INCLUDED.—The report
13 required under paragraph (1) shall include a de-
14 scription of the following:

15 “(A) The extent to which the use of the
16 authority of this section is based on a well-for-
17 mulated and realistic assessments of the capa-
18 bility requirements of foreign countries and
19 international organizations.

20 “(B) The extent to which the provision of
21 grants under the authority of this section are
22 consistent with United States conventional arms
23 transfer policy.

24 “(C) The extent to which the Department
25 of State has developed and implemented specific
26 plans to monitor and evaluate outcomes under

1 the authority of this section, including at least
2 one country or international organization as-
3 sessment each fiscal year.

4 “(3) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—In this subsection, the term ‘appropriate
6 congressional committees’ means—

7 “(A) the Committee on Appropriations and
8 the Committee on Foreign Affairs of the House
9 of Representatives; and

10 “(B) the Committee on Appropriations and
11 the Committee on Foreign Relations of the Sen-
12 ate.”.

13 **SEC. 939. CONGRESSIONAL NOTIFICATION OF REGULA-**
14 **TIONS AND AMENDMENTS TO REGULATIONS**
15 **UNDER SECTION 38 OF THE ARMS EXPORT**
16 **CONTROL ACT.**

17 (a) IN GENERAL.—Section 38 of the Arms Export
18 Control Act (22 U.S.C. 2778) is amended by adding at
19 the end the following:

20 “(k) CONGRESSIONAL NOTIFICATION.—The Presi-
21 dent shall submit to the Committee on Foreign Affairs of
22 the House of Representatives and the Committee on For-
23 eign Relations of the Senate a copy of regulations or
24 amendments to regulations issued to carry out this section
25 at least 30 days before publication of the regulations or

1 amendments in the Federal Register unless, after con-
2 sulting with such Committees, the President determines
3 that there is an emergency that requires a shorter period
4 of time.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 subsection (a) takes effect on the date of the enactment
7 of this Act and applies with respect the issuance of regula-
8 tions or amendments to regulations made on or after the
9 date of the enactment of this Act.

10 **Subtitle B—Security Assistance** 11 **and Related Matters**

12 **PART I—ISRAEL**

13 **SEC. 941. REPORT ON UNITED STATES COMMITMENTS TO** 14 **THE SECURITY OF ISRAEL.**

15 (a) INITIAL REPORT.—Not later than 30 days after
16 the date of enactment of this Act, the President shall
17 transmit to the appropriate congressional committees a re-
18 port that contains—

19 (1) a complete, unedited, and unredacted copy
20 of each assurance made by United States Govern-
21 ment officials to officials of the Government of Israel
22 regarding Israel’s security and maintenance of
23 Israel’s qualitative military edge provided in con-
24 junction with exports under the Arms Export Con-
25 trol Act (22 U.S.C. 2751 et seq.) for the period be-

1 ginning on January 1, 1975, and ending on the date
2 of the enactment of this Act; and

3 (2) an analysis of the extent to which, and by
4 what means, each assurance has been and is con-
5 tinuing to be fulfilled.

6 (b) SUBSEQUENT REPORTS.—

7 (1) NEW ASSURANCES AND REVISIONS.—The
8 President shall transmit to the appropriate congress-
9 sional committees a report that contains the infor-
10 mation required under subsection (a) with respect
11 to—

12 (A) each assurance described in subsection
13 (a) made on or after the date of enactment of
14 this Act; or

15 (B) revisions to any assurance described in
16 subsection (a) or subparagraph (A) of this
17 paragraph, within 15 days of the new assurance
18 or revision being conveyed.

19 (2) FIVE-YEAR REPORTS.—Not later than 5
20 years after the date of the enactment of this Act,
21 and every 5 years thereafter, the President shall
22 transmit to the appropriate congressional commit-
23 tees a report that contains the information required
24 under subsection (a) with respect to each assurance
25 described in subsection (a) or paragraph (1)(A) of

1 this subsection and revisions to any assurance de-
2 scribed in subsection (a) or paragraph (1)(A) of this
3 subsection during the preceding 5-year period.

4 (c) FORM.—Each report required by this section shall
5 be transmitted in unclassified form, but may contain a
6 classified annex, if necessary.

7 **SEC. 942. CLARIFICATION OF CERTIFICATION REQUIRE-**
8 **MENTS RELATING TO ISRAEL'S QUALITATIVE**
9 **MILITARY EDGE.**

10 Section 36(h)(1) of the Arms Export Control Act (22
11 U.S.C. 2776(h)(1)) is amended by striking “a determina-
12 tion” and inserting “an unclassified determination”.

13 **SEC. 943. SUPPORT TO ISRAEL FOR MISSILE DEFENSE.**

14 (a) STATEMENT OF POLICY.—It shall be the policy
15 of the United States to—

16 (1) promote deployment as soon as is possible
17 of effective missile defense systems capable of de-
18 fending against ballistic missile attack from Iran,
19 Syria, and other potential missile threats to Israel;

20 (2) fully utilize, so far as possible, the missile
21 defense capabilities and resources of the United
22 States to fully assist, support, and improve the de-
23 fenses of Israel to provide robust, layered protection
24 against ballistic missile, and medium and short
25 range projectile attack;

1 (3) provide assistance to complete accelerated
2 co-production of Arrow missiles and continued inte-
3 gration with the appropriate ballistic missile defense
4 systems of the United States;

5 (4) provide assistance to aid the system devel-
6 opment of the Missile Defense Agency and Israel
7 Missile Defense Organization joint program to de-
8 velop a short-range ballistic missile defense capa-
9 bility, David's Sling weapon system, and integrate
10 the weapon system with the ballistic missile defense
11 system and force protection efforts of the United
12 States; and

13 (5) provide assistance for research, develop-
14 ment, and test and evaluation, and fielding of the
15 Iron Dome Air Defense Missile System.

16 (b) AUTHORIZATION OF ASSISTANCE.—Of the
17 amounts authorized to be appropriated under section
18 513(e) of the Security Assistance Act of 2000 (Public Law
19 106–280; 114 Stat. 856), as amended by section 1221(a)
20 of the Security Assistance Act of 2002 (division B of Pub-
21 lic Law 107–228; 116 Stat. 1430) and further amended
22 by section 101(b)(2) of this Act, the Secretary of State,
23 in coordination with the Secretary of Defense, is author-
24 ized to provide assistance to the Government of Israel for
25 the procurement, maintenance, and sustainment of the

1 Iron Dome Air Defense Missile System for purposes of
2 intercepting short-range rockets, missiles, and mortars
3 launched against Israel, and other activities.

4 (c) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, and an-
7 nually thereafter in connection with the submission
8 of congressional presentation materials for the for-
9 eign operations appropriations and defense appro-
10 priations budget request, the Secretary of State, in
11 consultation with the Secretary of Defense, shall
12 submit to the appropriate congressional committees
13 a report regarding the activities authorized under
14 subsection (b).

15 (2) FORM.—The report required under para-
16 graph (1) shall be submitted in unclassified form to
17 the maximum extent practicable, but may include a
18 classified annex, if necessary.

19 (3) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES DEFINED.—In this subsection, the term “ap-
21 propriate congressional committees” means—

22 (A) the Committee on Foreign Affairs and
23 the Committee on Armed Services of the House
24 of Representatives; and

1 (B) the Committee on Foreign Relations
2 and the Committee on Armed Services in the
3 Senate.

4 **PART II—EGYPT**

5 **SEC. 951. LIMITATION ON SECURITY ASSISTANCE TO THE**
6 **GOVERNMENT OF EGYPT.**

7 (a) LIMITATION.—None of the funds made available
8 to carry out this title may be used to provide United
9 States security assistance to the Government of Egypt un-
10 less a certification described in subsection (b) is in effect.

11 (b) CERTIFICATION.—A certification described in this
12 subsection is a certification transmitted by the President
13 to the appropriate congressional committees that contains
14 a determination of the President that—

15 (1) the Government of Egypt is not directly or
16 indirectly controlled by a foreign terrorist organiza-
17 tion, its affiliates or supporters;

18 (2) the Government of Egypt is fully imple-
19 menting the Israel-Egypt Peace Treaty; and

20 (3) the Government of Egypt is detecting and
21 destroying the smuggling network and tunnels be-
22 tween Egypt and the Gaza strip.

23 (c) RECERTIFICATIONS.—Not later than 90 days
24 after the date on which the President transmits to the ap-

1 appropriate congressional committees an initial certification
2 under subsection (b), and every six months thereafter—

3 (1) the President shall transmit to the appro-
4 appropriate congressional committees a recertification that
5 the requirements contained in subsection (b) are
6 continuing to be met; or

7 (2) if the President is unable to make such a
8 recertification, the President shall transmit to the
9 appropriate congressional committees a report that
10 contains the reasons therefor.

11 (d) WAIVER.—The President may waive the limita-
12 tion in subsection (a) if the President determines and cer-
13 tifies to the appropriate congressional committees 15 days
14 prior to the exercise of waiver authority that—

15 (1) it is in the vital national security interests
16 of the United States to do so;

17 (2) the United States is fully implementing and
18 enforcing existing end-use monitoring mechanisms;
19 and

20 (3) the United States has established and im-
21 plemented comprehensive procedures to vet all re-
22 cipients of United States security assistance to en-
23 sure that no recipients are members of, or affiliated
24 with, a foreign terrorist organization or any affili-
25 ates or supporters thereof.

1 **SEC. 952. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
2 **ERNMENT OF EGYPT.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of State,
5 in coordination with the Secretary of Defense, shall submit
6 to the appropriate congressional committees a report that
7 includes the following:

8 (1) A description of the strategic objectives of
9 the United States regarding the provision of United
10 States security assistance to the Government of
11 Egypt.

12 (2) A description of biennial outlays of United
13 States security assistance to the Government of
14 Egypt for the purposes of strategic planning, train-
15 ing, provision of equipment, and construction of fa-
16 cilities, including funding streams.

17 (3) A description of vetting and end-user moni-
18 toring systems in place by both Egypt and the
19 United States for defense articles and training pro-
20 vided by the United States, to include human rights
21 vetting.

22 (4) A description of actions that the Govern-
23 ment of Egypt is taking to—

24 (A) fully implement the Egypt-Israel peace
25 treaty;

1 (B) detect and destroy the smuggling net-
2 work and tunnels between Egypt and the Gaza
3 strip;

4 (C) repudiate, combat, and stop incitement
5 to violence against the United States and
6 United States citizens and prohibit the trans-
7 mission within its domains of satellite television
8 or radio channels that broadcast such incite-
9 ment; and

10 (D) adopt and implement legal reforms
11 that protect the religious and democratic free-
12 doms of all citizens and residents of Egypt.

13 (5) Recommendations, including with respect to
14 required resources and actions, to maximize the ef-
15 fectiveness of United States security assistance pro-
16 vided to Egypt.

17 (b) GAO REPORT.—Not later than 120 days after
18 the date of the submission of the report required under
19 subsection (a), the Comptroller General of the United
20 States shall submit to the appropriate congressional com-
21 mittees a report that—

22 (1) reviews and comments on the report re-
23 quired under subsection (a); and

1 (2) to support the Government of Lebanon in
2 asserting its sovereignty by extending its authority
3 throughout its territory, particularly in the southern
4 regions;

5 (3) to support the emergence of a democratic
6 Lebanon, with both domestic and foreign terrorist
7 organizations and militias permanently disarmed;
8 and

9 (4) to continue to provide financial and mate-
10 rial assistance to support the sovereignty, territorial
11 integrity, unity, and political independence of Leb-
12 anon under the sole and exclusive authority of the
13 Government of Lebanon.

14 **SEC. 962. LIMITATION ON SECURITY ASSISTANCE TO THE**
15 **GOVERNMENT OF LEBANON.**

16 (a) **LIMITATION.**—None of the funds made available
17 to carry out this title may be used to provide security as-
18 sistance to the Government of Lebanon unless a certifi-
19 cation described in subsection (b) is in effect.

20 (b) **CERTIFICATION.**—A certification described in this
21 subsection is a certification transmitted by the President
22 to the appropriate congressional committees that contains
23 a determination of the President that—

24 (1) no member of Hezbollah or any other a for-
25 eign terrorist organization serves in any policy posi-

1 tion in a ministry, agency, or instrumentality of the
2 Government of Lebanon;

3 (2) there exists within the Government of Leb-
4 anon comprehensive anti-terrorism vetting and
5 tracking procedures for all Lebanese security forces
6 personnel benefitting from United States security as-
7 sistance programs;

8 (3) all ministries of the Government of Lebanon
9 and operations that directly or indirectly benefit
10 from United States security assistance programs are
11 financially transparent and accountable;

12 (4) the Government of Lebanon—

13 (A) is dismantling the infrastructure of all
14 foreign terrorist organizations and related mili-
15 tias and is confiscating unauthorized weapons;

16 (B) has taken other actions in full compli-
17 ance with United Nations Security Council Res-
18 olutions 1559, 1585, 1701, 1757, and other
19 international obligations; and

20 (C) is fully cooperating with the Special
21 Tribunal for Lebanon;

22 (5) United States security assistance and secu-
23 rity cooperation programs for Lebanon are not uti-
24 lized against the State of Israel and will not ad-
25 versely impact Israel's qualitative military edge; and

1 (6) the Government of Lebanon has taken ef-
2 fective steps and made demonstrable progress to-
3 ward assuming full control of its territory.

4 (c) RECERTIFICATIONS.—Not later than 90 days
5 after the date on which the President transmits to the ap-
6 propriate congressional committees an initial certification
7 under subsection (b), and every six months thereafter—

8 (1) the President shall transmit to the appro-
9 priate congressional committees a recertification that
10 the requirements contained in subsection (b) are
11 continuing to be met; or

12 (2) if the President is unable to make such a
13 recertification, the President shall transmit to the
14 appropriate congressional committees a report that
15 contains the reasons therefor.

16 (d) WAIVER.—The President may waive the limita-
17 tion in subsection (a) if the President determines and cer-
18 tifies to the appropriate congressional committees 15 days
19 prior to the exercise of waiver authority that—

20 (1) it is in the vital national security interests
21 of the United States to do so;

22 (2) the United States is fully implementing and
23 enforcing existing end-use monitoring mechanisms;
24 and

1 organizations, and other nations and entities to the
2 Government of Lebanon, including the Ministry of
3 Defense, the Ministry of Interior, the armed forces
4 of Lebanon, the Internal Security Forces, the Gen-
5 eral Security Directorate, the General Directorate of
6 State Security, Lebanese Military Intelligence, and
7 other organizations or agencies.

8 (4) A description of vetting and end-user moni-
9 toring systems in place by the Government of Leb-
10 anon, the United States, international organizations,
11 and other nations and entities providing security as-
12 sistance to the Government of Lebanon.

13 (5) A description of metrics utilized by the
14 United States Government for measuring whether
15 United States security assistance has improved the
16 capacity of the Government of Lebanon security
17 forces to operate.

18 (b) FORM.—The report required under subsection (a)
19 shall be submitted in unclassified form to the greatest ex-
20 tent possible, but may include a classified annex if nec-
21 essary.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term “appropriate congres-
24 sional committees” means—

1 (1) the Committee on Foreign Affairs and the
2 Committee on Armed Services of the House of Rep-
3 resentatives; and

4 (2) the Committee on Foreign Relations and
5 the Committee on Armed Services in the Senate.

6 **SEC. 964. GOVERNMENT OF LEBANON DEFINED.**

7 In this part, the term “Government of Lebanon”
8 means any person, agent, instrumentality, or official of,
9 is affiliated with, or is serving as a representative of the
10 Government of Lebanon.

11 **PART IV—PALESTINIAN AUTHORITY**

12 **SEC. 971. LIMITATION ON SECURITY ASSISTANCE TO THE**
13 **PALESTINIAN AUTHORITY.**

14 (a) **LIMITATION.**—None of the funds made available
15 to carry out this title may be used to provide United
16 States security assistance to the Palestinian Authority un-
17 less a certification described in subsection (b) is in effect.

18 (b) **CERTIFICATION.**—A certification described in this
19 subsection is a certification transmitted by the President
20 to the appropriate congressional committees that contains
21 a determination of the President that—

22 (1) no member of Hamas or any other foreign
23 terrorist organization serves in any policy position in
24 a ministry, agency, or instrumentality of the Pales-
25 tinian Authority;

1 (2) the Palestinian Authority is taking all nec-
2 essary steps and action to implement the 2005 secu-
3 rity reorganization program, and implement an in-
4 clusive, standards-based approach to recruitment;

5 (3) all Palestinian Authority ministries and op-
6 erations that directly or indirectly benefit from secu-
7 rity assistance are financially transparent and ac-
8 countable;

9 (4) the Palestinian Authority is dismantling all
10 foreign terrorist organizations infrastructure, confis-
11 cating unauthorized weapons, thwarting and pre-
12 empting terrorist attacks, and fully cooperating with
13 Israel's security services;

14 (5) the Palestinian Authority is fully imple-
15 menting necessary institutional reforms within the
16 Ministry of Interior and within the judicial sector;

17 (6) the Palestinian Authority has halted all
18 anti-Israel incitement in Palestinian Authority-con-
19 trolled electronic and print media and in schools,
20 mosques, and other institutions it controls, and is
21 replacing these materials, including textbooks, with
22 materials that promote tolerance, peace, and coexist-
23 ence with Israel;

24 (7) there exists within the Palestinian Authority
25 comprehensive anti-terrorism vetting and tracking

1 procedures for all Palestinian Security Forces per-
2 sonnel benefitting from United States security as-
3 sistance; and

4 (8) the Palestinian Authority has and continues
5 to publicly acknowledge Israel's right to exist as a
6 Jewish state.

7 (c) RECERTIFICATIONS.—Not later than 90 days
8 after the date on which the President transmits to the ap-
9 propriate congressional committees an initial certification
10 under subsection (b), and every six months thereafter—

11 (1) the President shall transmit to the appro-
12 priate congressional committees a recertification that
13 the requirements contained in subsection (b) are
14 continuing to be met; or

15 (2) if the President is unable to make such a
16 recertification, the President shall transmit to the
17 appropriate congressional committees a report that
18 contains the reasons therefor.

19 (d) WAIVER.—The President may waive the limita-
20 tion in subsection (a) if the President determines and cer-
21 tifies to the appropriate congressional committees 15 days
22 prior to the exercise of waiver authority that—

23 (1) it is in the vital national security interests
24 of the United States to do so;

1 (2) the United States is fully implementing and
2 enforcing existing end-use monitoring mechanisms;
3 and

4 (3) the United States has established and im-
5 plemented comprehensive procedures to vet all re-
6 cipients of United States security assistance to en-
7 sure that no recipients are members of, or affiliated
8 with, a foreign terrorist organization.

9 **SEC. 972. REPORT ON SECURITY ASSISTANCE TO THE PAL-**
10 **ESTINIAN AUTHORITY.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the Secretary of State
13 shall submit to the appropriate congressional committees
14 a report that includes the following:

15 (1) A description of the strategic objectives of
16 the United States regarding the provision of United
17 States security assistance to the Palestinian Author-
18 ity, and a strategy for achieving those objectives.

19 (2) A description of biennial outlays for United
20 States security assistance to the Palestinian Security
21 Forces for the purposes of strategic planning, train-
22 ing, provision of equipment, and construction of fa-
23 cilities, including funding streams.

24 (3) A breakdown of contributions and assist-
25 ance provided by the United States, international or-

1 organizations, and other nations and entities to the
2 Palestinian Authority Ministry of Interior, Civil Po-
3 lice, National Security Force, the Preventative Secu-
4 rity, the General Intelligence Service, Military Intel-
5 ligence, the Presidential Security Service/Presi-
6 dential Guard, and other units.

7 (4) A description of vetting and end-user moni-
8 toring systems in place by the Palestinian Authority,
9 the United States, international organizations, and
10 other nations and entities providing security assist-
11 ance to the Palestinian Authority.

12 (5) A description of contingency options for re-
13 structuring security assistance and reconfiguring the
14 mission of the United States Security Coordinator.

15 (6) A description of metrics utilized by the
16 United States Government for measuring whether
17 security assistance and security cooperation pro-
18 grams have improved the capacity of the Palestinian
19 Authority security forces to operate.

20 (b) FORM.—The report required under subsection (a)
21 shall be submitted in unclassified form to the greatest ex-
22 tent possible, but may include a classified annex if nec-
23 essary.

1 **SEC. 973. PALESTINIAN AUTHORITY DEFINED.**

2 In this part, the term “Palestinian Authority” in-
3 cludes any agency or instrumentality of the Palestinian
4 Authority, including any entity that is controlled by the
5 Palestinian Authority, or any successor Palestinian gov-
6 erning entity, including the Palestinian Legislative Coun-
7 cil.

8 **PART V—PAKISTAN**

9 **SEC. 981. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—Section 102(a) of the En-
12 hanced Partnership with Pakistan Act of 2009 (22
13 U.S.C. 8412(a)) is amended by striking “2010” and
14 inserting “2012”.

15 (2) AVAILABILITY OF FUNDS.—Section 102(b)
16 of the Enhanced Partnership with Pakistan Act of
17 2009 (22 U.S.C. 8412(b)) is amended—

18 (A) by striking “AVAILABILITY OF
19 FUNDS” and all that follows through “Of the
20 amounts” and inserting “AVAILABILITY OF
21 FUNDS.—Of the amounts”;

22 (B) by striking “subsection (a)” and all
23 that follows and inserting the following: “sub-
24 section (a), none of the amounts appropriated
25 for assistance to Pakistan may be made avail-
26 able for assistance to Pakistan unless the Sec-

1 retary of State submits to the appropriate con-
2 gressional committees during such fiscal year—

3 “(1) a certification that assistance provided to
4 Pakistan under this title or the Foreign Assistance
5 Act of 1961 to date has made or is making measur-
6 able progress toward achieving the principal objec-
7 tives of United States assistance to Pakistan con-
8 tained in the Pakistan Assistance Strategy Report
9 and a memorandum explaining the reasons justifying
10 the certification; and

11 “(2) the certification required under section
12 203(c).”; and

13 (C) by striking the second paragraph (2).

14 (3) WAIVER; SENSE OF CONGRESS ON FOREIGN
15 ASSISTANCE FUNDS.—Section 102 of the Enhanced
16 Partnership with Pakistan Act of 2009 (22 U.S.C.
17 8412) is amended by striking subsections (c) and
18 (d).

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) take effect on the date of the enactment
21 of this Act and apply with respect to amounts appro-
22 priated for the purposes of providing assistance to Paki-
23 stan under title I of the Enhanced Partnership with Paki-
24 stan Act of 2009 and providing assistance to Pakistan

1 under the Foreign Assistance Act of 1961 for each of the
2 fiscal years 2012, 2013, and 2014.

3 **SEC. 982. LIMITATIONS ON CERTAIN ASSISTANCE.**

4 (a) IN GENERAL.—Section 203 of the Enhanced
5 Partnership with Pakistan Act of 2009 (22 U.S.C. 8423)
6 is amended—

7 (1) by striking “, under the direction of the
8 President,” each place it appears and inserting “, in
9 consultation with the Secretary of Defense and the
10 Director of National Intelligence,”;

11 (2) in subsection (c)(2)—

12 (A) in the matter preceding subparagraph

13 (A)—

14 (i) by striking “significant efforts to-
15 wards” and inserting “demonstrable
16 progress in”;

17 (ii) by striking “taking into account”;

18 and

19 (iii) by striking “has made progress
20 on matters such as”;

21 (B) by redesignating subparagraphs (A),
22 (B), and (C), as subparagraphs (C), (D), and
23 (E), respectively;

24 (C) by inserting before subparagraph (C)
25 (as redesignated) the following:

1 “(A) is fully assisting the United States
2 with investigating the existence of an official or
3 unofficial support network in Pakistan for
4 Osama Bin Laden, including by providing the
5 United States with direct access to Osama Bin
6 Laden’s relatives in Pakistan and to Osama Bin
7 Laden’s former compound in Abbottabad and
8 any materials therein; and

9 “(B) is facilitating the issuance of entry
10 and exit visas for official United States visitors
11 engaged in counterterrorism efforts and train-
12 ing or other cooperative programs and projects
13 in Pakistan;”;

14 (D) in subparagraph (C) (as redesignated),
15 by inserting “is” before “ceasing”;

16 (E) in subparagraph (D) (as redesign-
17 ated)—

18 (i) by inserting “is” before “pre-
19 venting”;

20 (ii) by inserting “the Haqqani Net-
21 work,” after “such as”;

22 (iii) by adding at the end before the
23 semicolon the following: “and eliminating
24 improvised explosive device (IED) net-
25 works”; and

1 (iv) by striking “and” at the end;

2 (F) in subparagraph (E) (as redesignated)—
3 nated)—

4 (i) by inserting “is” before “strengthening”; and
5

6 (ii) by inserting “and fully implementing” before “counterterrorism”; and
7

8 (G) by adding after subparagraph (E) (as redesignated) the following:
9

10 “(F) is using defense articles and defense
11 services provided by the United States under
12 the Foreign Military Sales program according
13 to the end-use purposes, security requirements,
14 and other terms and conditions agreed to by the
15 United States at the time of transfer or by subsequent
16 agreement; and”;

17 (3) by striking subsection (e);

18 (4) by redesignating subsection (f) as subsection (e); and
19

20 (5) in subsection (e) (as redesignated), in paragraph (1), by striking “the Committee on Oversight and Government Reform,”.
21
22

23 (b) EFFECTIVE DATE.—The amendments made by
24 subsection (a) take effect on the date of the enactment
25 of this Act and apply with respect to the provision of secu-

1 rity-related assistance to Pakistan in each of the fiscal
2 years 2012, 2013, and 2014.

3 **SEC. 983. STRATEGY REPORTS.**

4 Section 301(a) of the Enhanced Partnership with
5 Pakistan Act of 2009 (22 U.S.C. 8441(a)) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking “Not later than 45 days after the date of
8 enactment of this Act” and inserting “For each of
9 the fiscal years 2012, 2013, and 2014,”;

10 (2) in paragraph (1), by inserting “United
11 States strategic objectives in Pakistan and” after “A
12 description of”;

13 (3) in paragraph (2), by striking “general”;

14 (4) in paragraph (3), by striking “A plan for”
15 and inserting “A description of implementation of”;

16 (5) by amending paragraph (7) to read as fol-
17 lows:

18 “(7) Progress toward creating a searchable
19 Internet database and other public communications
20 strategies that will provide the people of the United
21 States and the people of Pakistan with updated and
22 accurate information on proposed spending plans,
23 disbursements of assistance, and results achieved
24 using funds authorized under title I of this Act.”;
25 and

1 (6) by adding at the end the following:

2 “(8) Progress toward meeting the recommenda-
3 tions of audits, reviews, and investigations completed
4 by the General Accountability Office and by the Of-
5 fice of Inspector General of the United States Agen-
6 cy for International Development, the Department of
7 State, and the Department of Defense.

8 “(9) A description of how the Administration is
9 incorporating support for private sector development
10 and enhanced trade opportunities as part of the for-
11 eign assistance approach to Pakistan.”.

12 **PART VI—YEMEN**

13 **SEC. 991. LIMITATION ON SECURITY ASSISTANCE TO THE**
14 **GOVERNMENT OF YEMEN.**

15 (a) **LIMITATION.**—None of the funds made available
16 to carry out this title may be used to provide United
17 States security assistance to the Government of Yemen
18 unless a certification described in subsection (b) is in ef-
19 fect.

20 (b) **CERTIFICATION.**—A certification described in this
21 subsection is a certification transmitted by the President
22 to the appropriate congressional committees that contains
23 a determination of the President that—

24 (1) no ministry, agency, or instrumentality of
25 the Government of Yemen is controlled by a foreign

1 terrorist organization or is directly or indirectly af-
2 filiated with a foreign terrorist organization;

3 (2) no member of a foreign terrorist organiza-
4 tion serves in any policy position in a ministry, agen-
5 cy, or instrumentality of the Government of Yemen;

6 (3) there exists within the Government of
7 Yemen comprehensive anti-terrorism vetting and
8 tracking procedures for all Yemeni security forces
9 personnel benefitting from United States security as-
10 sistance;

11 (4) all ministries and operations of the Govern-
12 ment of Yemen that directly or indirectly benefit
13 from United States security assistance are finan-
14 cially transparent and accountable; and

15 (5) the Government of Yemen is not complicit
16 in human rights abuses.

17 (c) RECERTIFICATIONS.—Not later than 90 days
18 after the date on which the President transmits to the ap-
19 propriate congressional committees an initial certification
20 under subsection (b), and every six months thereafter—

21 (1) the President shall transmit to the appro-
22 priate congressional committees a recertification that
23 the requirements contained in subsection (b) are
24 continuing to be met; or

1 (2) if the President is unable to make such a
2 recertification, the President shall transmit to the
3 appropriate congressional committees a report that
4 contains the reasons therefor.

5 (d) WAIVER.—The President may waive the limita-
6 tion in subsection (a) if the President determines and cer-
7 tifies to the appropriate congressional committees 15 days
8 prior to the exercise of waiver authority that—

9 (1) it is in the vital national security interests
10 of the United States to do so;

11 (2) the United States is fully implementing and
12 enforcing existing end-use monitoring mechanisms;
13 and

14 (3) the United States has established and im-
15 plemented comprehensive procedures to vet all re-
16 cipients of United States security assistance to en-
17 sure that no recipients are members of, or affiliated
18 with, a foreign terrorist organization or any affili-
19 ates or supporters thereof.

20 **SEC. 992. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
21 **ERNMENT OF YEMEN.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary of State,
24 in coordination with the Secretary of Defense, shall submit

1 to the appropriate congressional committees a report that
2 includes the following:

3 (1) A description of the strategic objectives of
4 the United States regarding the provision of United
5 States security assistance to the Government of
6 Yemen.

7 (2) A threat assessment for the Yemen.

8 (3) A description of biennial outlays of United
9 States security assistance to the Government of
10 Yemen for the purposes of strategic planning, train-
11 ing, provision of equipment, and construction of fa-
12 cilities, including funding streams.

13 (4) A description of vetting and end-user moni-
14 toring systems in place by both Yemen and the
15 United States for defense articles and training pro-
16 vided by the United States, to include human rights
17 vetting.

18 (5) A description of actions that the Govern-
19 ment of Yemen is taking to combat foreign terrorist
20 organizations.

21 (6) Recommendations, including with respect to
22 required resources and actions, to maximize the ef-
23 fectiveness of United States security assistance to
24 the Government of Yemen.

1 (b) GAO REPORT.—Not later than 120 days after
2 the date of the submission of the report required under
3 subsection (a), the Comptroller General of the United
4 States shall submit to the appropriate congressional com-
5 mittees a report that—

6 (1) reviews and comments on the report re-
7 quired under subsection (a); and

8 (2) provides recommendations regarding addi-
9 tional actions with respect to the provision of United
10 States security assistance to Yemen, if necessary.

11 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
12 FINED.—In this section, the term “appropriate congres-
13 sional committees” means—

14 (1) the Committee on Foreign Affairs and the
15 Committee on Armed Services of the House of Rep-
16 resentatives; and

17 (2) the Committee on Foreign Relations and
18 the Committee on Armed Services in the Senate.

19 **SEC. 993. GOVERNMENT OF YEMEN DEFINED.**

20 In this part, the term “Government of Yemen” means
21 any person, agent, instrumentality, or official of, is affili-
22 ated with, or is serving as a representative of the Govern-
23 ment of Yemen.

1 **PART VII—MISCELLANEOUS PROVISIONS**

2 **SEC. 994. DEFINITIONS.**

3 Except as otherwise provided, in this subtitle:

4 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
5 **TEES.**—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Affairs and
8 the Committee on Appropriations of the House
9 of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Committee on Appropriations of the
12 Senate.

13 (2) **FOREIGN TERRORIST ORGANIZATION.**—The
14 term “foreign terrorist organization” means an or-
15 ganization designated as a foreign terrorist organiza-
16 tion by the Secretary of State in accordance with
17 section 219(a) of the Immigration and Nationality
18 Act (8 U.S.C. 1189(a)).

19 (3) **QUALITATIVE MILITARY EDGE.**—The term
20 “qualitative military edge” has the meaning given
21 the term in section 36(h)(2) of the Arms Export
22 Control Act (22 U.S.C. 2776(h)(2)).

23 (4) **UNITED STATES SECURITY ASSISTANCE.**—
24 The term “United States security assistance” means
25 assistance authorized under part II of the Foreign
26 Assistance Act of 1961, the Arms Export Control

1 Act, or any other Act under which the United States
2 provides defense articles, military training, or other
3 defense-related services by grant, loan, credit, or
4 cash sales in furtherance of national policies and ob-
5 jectives.

6 **SEC. 994A. REPORT ON POLICE TRAINING.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the President shall, in
9 coordination with the heads of relevant Federal depart-
10 ments and agencies, submit to the Committee on Foreign
11 Affairs of the House of Representative and the Committee
12 on Foreign Relations of the Senate a report on current
13 overseas civilian police training in countries or regions
14 that are at risk of, in, or are in transition from, conflict
15 or civil strife.

16 (b) MATTERS TO BE INCLUDED.—The report re-
17 quired under subsection (a) shall contain information on
18 the following:

19 (1) The coordination, communication, program
20 management, and policy implementation among the
21 United States civilian police training programs in
22 countries or regions that are at risk of, in, or are
23 in transition from, conflict or civil strife.

1 (2) The number of private contractors con-
2 ducting such training, and the quality and cost of
3 such private contractors.

4 (3) An assessment of pre-training procedures
5 for verification of police candidates to adequately as-
6 sess their aptitude, professional skills, integrity, and
7 other qualifications that are essential to law enforce-
8 ment work.

9 (4) An analysis of the practice of using existing
10 Federal police entities to provide civilian police
11 training in countries or regions that are at risk of,
12 in, or are in transition from, conflict or civil strife,
13 along with the subject matter expertise that each
14 such entity may provide to meet local needs in lieu
15 of the use of private contractors.

16 (5) Recommendations, including recommenda-
17 tions relating to required resources and actions, to
18 maximize the effectiveness and interagency coordina-
19 tion and the adequate provision of civilian police
20 training programs in countries or regions that are at
21 risk of, in, or are in transition from, conflict or civil
22 strife.

23 **SEC. 994B. AUDITS OF UNITED STATES ASSISTANCE TO**
24 **IRAQ.**

25 (a) FINDINGS.—Congress finds the following:

1 (1) The Office of the Special Inspector General
2 for Iraq Reconstruction (SIGIR) has conducted au-
3 dits of the activities of the Department of State and
4 the Department of Defense and the United States
5 Agency for International Development in Iraq which
6 have proved invaluable to Congress, senior Adminis-
7 tration officials, and the American people.

8 (2) SIGIR has authority under existing law to
9 audit all United States-funded reconstruction assist-
10 ance in Iraq regardless of funding source.

11 (3) United States assistance to Iraq, under the
12 conditions now in existence or which may be antici-
13 pated to be in existence through December 2012
14 should be considered to be “reconstruction assist-
15 ance”.

16 (4) SIGIR’s audits of the police training pro-
17 gram, and of military assistance through the Iraq
18 Security Forces Fund, have been of particular value.

19 (5) SIGIR should audit military, security, and
20 economic assistance to Iraq during the term of
21 SIGIR’s existence, including assistance which may
22 be provided under the Foreign Military Financing
23 program or the Police Development Program.

24 (6) SIGIR’s audits should cover such aspects of
25 assistance programs as may be in the opinion of the

1 Inspector General necessary or desirable under sec-
2 tion 6(a) of the Inspector General Act of 1978 or
3 section 3001 of Public Law 108–106, including any
4 programs, activities, or facilities funded in whole or
5 part by amounts made available for assistance to
6 Iraq or which relate to such programs, activities, or
7 facilities.

8 (7) SIGIR coordinates its audits with other In-
9 spectors General and the Government Accountability
10 Office to avoid duplication of effort.

11 (8) SIGIR should continue to report on United
12 States assistance to Iraq in its Quarterly Reports to
13 Congress.

14 (b) COOPERATION WITH SIGIR.—The Secretary of
15 State shall fully and unreservedly cooperate with audits
16 conducted by the SIGIR and with any information re-
17 quests which in the opinion of the SIGIR are required to
18 comply with requirements imposed on the SIGIR by law.

19 **SEC. 994C. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) the European Union should continue its ban
22 on all arms exports to the People’s Republic of
23 China;

24 (2) the President should raise United States ob-
25 jections to the potential lifting of the European

1 Union arms embargo against the People's Republic
2 of China;

3 (3) the United States Government should make
4 clear in discussions with the governments of coun-
5 tries in the European Union that a lifting of the Eu-
6 ropean Arms Embargo on arms sales to the People's
7 Republic of China would potentially adversely affect
8 transatlantic defense cooperation, including future
9 transfers of United States military technology, serv-
10 ices, and equipment to European Union countries;

11 (4) the European Union should make legally
12 binding and enforceable its Code of Conduct for
13 Arms Exports;

14 (5) human rights abuses in the People's Repub-
15 lic of China remain a matter of concern for United
16 States foreign policy;

17 (6) the continuing military build-up of the Gov-
18 ernment of the People's Republic of China aimed at
19 Taiwan and the ongoing weapon of mass
20 destruction- and missile-related proliferation of
21 state-sponsored companies in China are matters of
22 grave concern to United States foreign and national
23 security policy; and

24 (7) the United States Government and the Eu-
25 ropean Union should work cooperatively to develop a

1 common strategy to limit sensitive technologies ex-
2 ported to the People’s Republic of China, seek im-
3 provement in the human rights conditions in and the
4 export control practices of the People’s Republic of
5 China, as well as an end to the ongoing proliferation
6 of weapons of mass destruction and ballistic missile
7 related technology from China to state sponsors of
8 terrorism.

9 **Subtitle C—Peacekeeping** 10 **Operations**

11 **SEC. 995. PEACEKEEPING OPERATIONS.**

12 (a) AUTHORITY.—

13 (1) IN GENERAL.—Section 551 of the Foreign
14 Assistance Act of 1961 (22 U.S.C. 2348) is amend-
15 ed—

16 (A) in the first sentence, by striking “The
17 President” and inserting “(A) The President”;
18 and

19 (B) by inserting the following new sub-
20 section:

21 “(b) Assistance authorized to be appropriated under
22 this chapter may also be used, notwithstanding section
23 660, to provide assistance to enhance the capacity of for-
24 eign civilian security forces, including gendarmes, to par-
25 ticipate in peacekeeping operations.”.

1 (2) DISARMAMENT AND REINTEGRATION.—

2 (A) IN GENERAL.—Notwithstanding any
3 other provision of law, regulation, or Executive
4 order, funds authorized to be appropriated by
5 this Act and any similar provision of law for
6 peacekeeping operations may be made available
7 to support programs to disarm, demobilize, and
8 reintegrate into civilian society former members
9 of foreign terrorist organizations.

10 (B) CONSULTATION.—The Secretary of
11 State shall consult with the appropriate con-
12 gressional committees prior to obligating or ex-
13 pending funds pursuant to this subsection.

14 (C) DEFINITION.—In this paragraph, the
15 term “foreign terrorist organization” means an
16 organization designated as a terrorist organiza-
17 tion under section 219(a) of the Immigration
18 and Nationality Act (8 U.S.C. 1189(a)).

19 (b) LIMITATION.—Section 404(a) of the Child Soldier
20 Prevention Act of 2008 (Public Law 110–457; 22 U.S.C.
21 2370c-1(a)) is amended by striking “section 516 or 541
22 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j
23 or 2347)” and inserting “sections 516, 541, or 551 of the
24 Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347,
25 or 2348)”.

1 (c) NOTIFICATION AND REPORTING REQUIRE-
2 MENTS.—

3 (1) NOTIFICATION.—The Secretary of State
4 shall notify the Committee on Foreign Affairs of the
5 House of Representatives and the Committee on
6 Foreign Relations of the Senate at least 15 days be-
7 fore any funds authorized under this section are
8 made available.

9 (2) REPORTS.—Not later than March 30, 2012,
10 and the end of each fiscal quarter, the Secretary of
11 State shall submit to the Committee on Foreign Af-
12 fairs of the House of Representatives and the Com-
13 mittee on Foreign Relations of the Senate a report
14 on the uses of funds made available under the this
15 section, including a description of the obligation and
16 expenditure of funds, the specific country in receipt
17 of such funds, and the use or purpose of the assist-
18 ance provided by such funds.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated \$304,390,000 for fiscal year
21 2012 for necessary expenses to carry out the provisions
22 of section 551 of the Foreign Assistance Act of 1961, in-
23 cluding to pay assessed expenses for international peace-
24 keeping activities in Somalia and for a United States con-

1 tribution to the Multinational Force Observers Mission in
2 the Sinai.

3 **Subtitle D—Reports and Briefings**

4 **SEC. 996. REPORT ON TRANSPARENCY IN NATO ARMS** 5 **SALES.**

6 (a) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act and annually thereafter for
8 each of the following three years, the Secretary of State,
9 in coordination with the Secretary of Defense, shall submit
10 to the appropriate congressional committees an annual re-
11 port on sales and financing of defense articles and defense
12 services in excess of \$50,000,000 by North Atlantic Trea-
13 ty Organization (NATO) member countries (other than
14 the United States) to non-NATO member countries, which
15 includes the following:

16 (1) A detailed political-strategic analysis of po-
17 tential dangers such sales and financing might pose
18 to the integrity of the NATO alliance.

19 (2) A list of any abuses or incidents involving
20 such sales and financing to countries potentially hos-
21 tile to the NATO alliance.

22 (3) An analysis of the potential for such sales
23 and financing made during the past five years to the
24 Russian Federation to adversely affect the long-term
25 solidarity of the NATO alliance.

1 (b) NATO COOPERATION.—The Secretary of State
2 shall seek the cooperation and input of NATO’s Economic
3 Secretariat in preparing the report required under sub-
4 section (b).

5 (c) FORM.—The report required under subsection (a)
6 shall be submitted in unclassified form (including as much
7 detail as possible), but may contain a classified annex.

8 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term “appropriate con-
10 gressional committees” means—

11 (1) the Committee on Foreign Affairs of the
12 House of Representative and the Committee on For-
13 eign Relations of the Senate; and

14 (2) the congressional defense committees (as
15 defined in section 101(a)(16) of title 10, United
16 States Code).

17 **SEC. 996A. REPORT ON TASK FORCE FOR BUSINESS AND**
18 **STABILITY OPERATIONS IN AFGHANISTAN.**

19 (a) REPORT.—The Secretary of State, with the con-
20 currence of the Secretary of Defense, and in coordination
21 with the Administrator for the United States Agency for
22 International Development, shall submit to the appro-
23 priate congressional committees a report that contains a
24 detailed plan to provide for the transition of the activities
25 of the Task Force for Business and Stability Operations

1 in Afghanistan from the Department of Defense to the
2 Department of State and the United States Agency for
3 International Development.

4 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
5 DEFINED.—In this section, the term “appropriate con-
6 gressional committees” means—

7 (1) the Committee on Foreign Affairs of the
8 House of Representative and the Committee on For-
9 eign Relations of the Senate; and

10 (2) the congressional defense committees (as
11 defined in section 101(a)(16) of title 10, United
12 States Code).

13 **SEC. 996B. BRIEFINGS RELATING TO PUBLIC LAW 107-40.**

14 (a) BRIEFINGS ON ACTIVITIES.—Not later than 120
15 days after the date of the enactment of this Act, and quar-
16 terly thereafter, the Secretary of Defense shall provide a
17 briefing to the appropriate congressional committees on
18 military activities, including cyber activities, carried out
19 pursuant to the Authorization for Use of Military Force
20 (50 U.S.C. 1541 note; Public Law 107-40).

21 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means—

24 (1) the Committee on Appropriations, the Com-
25 mittee on Armed Services, and the Committee on

1 Foreign Affairs of the House of Representatives;
2 and

3 (2) the Committee on Appropriations, the Com-
4 mittee on Armed Services, and the Committee on
5 Foreign Relations of the Senate.

6 **TITLE X—PEACE CORPS VOLUN-**
7 **TEER SERVICE PROTECTION**

8 **SEC. 1001. SEXUAL ASSAULT COMPLAINTS IN THE PEACE**
9 **CORPS.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Peace Corps has begun responding to con-
12 cerns related to its handling of sexual assault complaints
13 from its volunteers that have been the subject of media
14 reports and oversight hearings, including by the hiring of
15 a Victim’s Advocate.

16 (b) STATEMENT OF CONGRESS.—Congress looks for-
17 ward to working cooperatively with the Peace Corps on
18 additional, necessary steps to protect volunteers, including
19 the enactment and implementation of this title.

20 **SEC. 1002. PEACE CORPS VOLUNTEER PROTECTION.**

21 The Peace Corps Act is amended by inserting after
22 section 8 (22 U.S.C. 2507) the following new sections:

23 “SAFETY AND SECURITY AGREEMENT REGARDING PEACE
24 CORPS VOLUNTEERS SERVING IN FOREIGN COUNTRIES

25 “SEC. 8A. (a) IN GENERAL.—Not later than six
26 months after the date of the enactment of this section,

1 the Director of the Peace Corps shall consult with the As-
2 sistant Secretary of State for Diplomatic Security and
3 enter into a memorandum of understanding that specifies
4 the duties and obligations of the Peace Corps and the Bu-
5 reau of Diplomatic Security of the Department of State
6 with respect to the protection of Peace Corps volunteers
7 and staff members serving in foreign countries, including
8 with respect to investigations of safety and security inci-
9 dents and crimes committed against such volunteers and
10 staff members.

11 “(b) INSPECTOR GENERAL REVIEW.—

12 “(1) REVIEW.—The Inspector General of the
13 Peace Corps shall review the memorandum of under-
14 standing described in subsection (a) and be afforded
15 the opportunity to recommend changes that advance
16 the safety and security of Peace Corps volunteers be-
17 fore its entry into force.

18 “(2) REPORT.—The Director of the Peace
19 Corps shall consider all recommendations of the In-
20 spector General of the Peace Corps regarding the
21 memorandum of understanding described in sub-
22 section (a). If the Director enters into such memo-
23 randum without addressing a recommendation of the
24 Inspector General, the Director shall submit to the
25 Inspector General an explanation relating thereto.

1 “(3) FAILURE TO MEET DEADLINE.—

2 “(A) REQUIREMENT TO SUBMIT RE-
3 PORT.—If, by the date that is 6 months after
4 the date of the enactment of this section, the
5 Director of the Peace Corps is unable to obtain
6 agreement with the Assistant Secretary of State
7 for Diplomatic Security and certification by the
8 Inspector General of the Peace Corps, the Di-
9 rector shall submit to the committees of Con-
10 gress specified in subparagraph (C) a report ex-
11 plaining the reasons for such failure.

12 “(B) LIMITATION ON FUNDS.—If, by the
13 date that is 9 months after the date of the en-
14 actment of this section, the memorandum of
15 understanding described in subsection (a) has
16 not entered into force, no funds available to the
17 Peace Corps may be obligated or expended to
18 extend to Peace Corps volunteers invitations for
19 service or to deploy Peace Corps trainees over-
20 seas unless the Director of the Peace Corps cer-
21 tifies to the committees of Congress specified in
22 subparagraph (C) that—

23 “(i) significant progress is being made
24 toward finalizing such memorandum; and

1 appropriate, the recommendations and views of experts in
2 the sexual assault field.

3 “(c) SUBSEQUENT TRAINING.—Once a trainee has
4 arrived in such trainee’s country of service, the Director
5 of the Peace Corps shall provide such trainee with training
6 tailored to such country, including cultural training relat-
7 ing to gender relations, risk-reduction strategies, a safety
8 plan in the event of an assault, treatment available in such
9 country (such as forensic rape exams, PEP for HIV expo-
10 sure, STD screening, and pregnancy testing), MedEvac
11 procedures, and information regarding the legal process
12 for pressing charges against an attacker.

13 “(d) HISTORICAL ANALYSIS.—The Director of the
14 Peace Corps shall provide each applicant for enrollment
15 with a historical analysis of crimes and risks against vol-
16 unteers in the country in which the applicant has been
17 invited to serve.

18 “(e) CONTACT INFORMATION.—The Director of the
19 Peace Corps shall provide each trainee, before each such
20 trainee enrolls as a volunteer, with—

21 “(1) the contact information of the Inspector
22 General of the Peace Corps for purposes of reporting
23 violations of the sexual assault protocol under sec-
24 tion 8C or any other criminal or administrative
25 wrongdoing by volunteers, personnel (including ex-

1 perts and consultants), or other individuals (includ-
2 ing contractors) who do business with the Peace
3 Corps; and

4 “(2) clear, written guidelines regarding whom
5 to contact, including the direct telephone number for
6 a victim advocate and what steps to take in the
7 event of a sexual assault.

8 “(f) DEFINITIONS.—In this section and sections 8C
9 through 8I:

10 “(1) ASSAULT.—

11 “(A) IN GENERAL.—The term ‘assault’
12 means an act that—

13 “(i) creates an apprehension in an in-
14 dividual of an imminent, harmful, or offen-
15 sive contact; or

16 “(ii) is a harmful or offensive touch-
17 ing.

18 “(B) INCLUSION.—The term ‘assault’ in-
19 cludes stalking and sexual assault.

20 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
21 sault’ means any conduct described in chapter 109A
22 of title 18, United States Code, relating to aggra-
23 vated sexual abuse, sexual abuse, and sexual contact,
24 whether or not the conduct occurs in the special
25 maritime and territorial jurisdiction of the United

1 States, and includes both assaults committed by of-
2 fenders who are strangers to the victim and assaults
3 committed by offenders who are known or related by
4 blood or marriage to the victim.

5 “(3) STALKING.—The term ‘stalking’ means
6 engaging in a course of conduct directed at a spe-
7 cific person that would cause a reasonable person
8 to—

9 “(A) fear for his or her safety or the safety
10 of others; or

11 “(B) suffer substantial emotional distress.

12 “SEXUAL ASSAULT PROTOCOL AND GUIDELINES

13 “SEC. 8C. (a) IN GENERAL.—The Director of the
14 Peace Corps shall develop and implement comprehensive
15 sexual assault protocol and guidelines that—

16 “(1) conform to best practices in the sexual as-
17 sault field; and

18 “(2) are applicable to all posts at which volun-
19 teers serve.

20 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
21 PERTS.—In developing the sexual assault policy under
22 subsection (a), the Director of the Peace Corps shall con-
23 sult with and incorporate, as appropriate, the rec-
24 ommendations and views of experts in the sexual assault
25 field.

1 “(c) ELEMENTS.—The sexual assault protocol and
2 guidelines developed under subsection (a) shall include, at
3 a minimum, the following services with respect to a volun-
4 teer who has been a victim of sexual assault:

5 “(1) Protection of such volunteer’s confiden-
6 tiality.

7 “(2) Provision of a victim’s advocate to such
8 volunteer.

9 “(3) Provision of a sexual assault forensic evi-
10 dence kit to such volunteer upon request.

11 “(4) Provision of emergency health care to such
12 volunteer, including, to the greatest extent prac-
13 ticable, a choice of medical providers and a mecha-
14 nism for such volunteer to evaluate such provider.

15 “(5) Provision of counseling and psychiatric
16 medication.

17 “(6) Completion of a safety and treatment plan
18 with such volunteer.

19 “(7) Evacuation of such volunteer, accompanied
20 by a Peace Corps staffer at the request of such vol-
21 unteer.

22 “(8) An explanation to such volunteer of avail-
23 able law enforcement, prosecutorial options, and
24 legal representation.

1 “(d) DISTRIBUTION AND TRAINING.—The Director
2 of the Peace Corps shall distribute to and train all in-
3 country staff regarding the sexual assault protocol and
4 guidelines developed under subsection (a).

5 “(e) REMOVAL AND ASSESSMENT AND EVALUA-
6 TION.—

7 “(1) IN GENERAL.—If a volunteer feels at risk
8 of imminent bodily harm and requests removal from
9 the site in which such volunteer is serving, the Di-
10 rector of the Peace Corps shall, as expeditiously as
11 practical after receiving such request, remove such
12 volunteer from such site. If the Director of the
13 Peace Corps receives such a request, the Director of
14 the Peace Corps shall assess and evaluate the safety
15 of such site and may not assign another volunteer
16 to such site until such time as such assessment and
17 evaluation is complete and such site has been deter-
18 mined to be safe.

19 “(2) DETERMINATION OF SITE AS UNSAFE.—
20 Volunteers may remain at a site during an assess-
21 ment and evaluation under paragraph (1). If the Di-
22 rector the Peace Corps determines that a site is un-
23 safe, the Director of the Peace Corps shall, as expe-
24 ditiously as practical, remove all volunteers from
25 such site.

1 “(f) SEXUAL ASSAULT RESPONSE TEAMS.—The Di-
2 rector of the Peace Corps shall establish sexual assault
3 response teams, including Safety and Security Officers,
4 medical staff, and a victim advocate, that can respond to
5 reports of sexual assault against a volunteer.

6 “(g) CASE REVIEW.—The Director of the Peace
7 Corps shall conduct case reviews of a statistically signifi-
8 cant number of cases on a quarterly basis to determine
9 if proper procedures were followed in accordance with the
10 sexual assault protocols and guidelines developed under
11 subsection (a) and including the elements specified in sub-
12 section (c).

13 “(h) TRACKING AND RECORDING.—The Director of
14 the Peace Corps shall establish a global tracking and re-
15 cording system to track and record incidents of assault
16 against volunteers.

17 “(i) PROHIBITION ON COMBINING INCIDENTS.—The
18 Director of the Peace Corps may not combine into one
19 incident for purposes of tracking and recording under sub-
20 section (h) reports by different volunteers of assault
21 against such volunteers even if such assaults were com-
22 mitted by one individual against such volunteers at any
23 one time.

24 “(j) ALTERNATIVE SYSTEMS.—The Director of the
25 Peace Corps shall establish an alternative reporting sys-

1 tem and hotline access system through which volunteers
2 who are victims of assault can report and receive support
3 on an anonymous basis. Such alternative systems shall be
4 published in the Volunteer Handbook.

5 “VICTIMS ADVOCATES

6 “SEC. 8D. (a) VICTIMS ADVOCATES.—

7 “(1) IN GENERAL.—The Director of the Peace Corps
8 shall assign a certified victims advocate in Peace Corps
9 headquarters who shall report directly to the Director. The
10 Director of the Peace Corps shall assign such additional
11 certified victims advocates to assist such victims advocate
12 as the Director determines necessary. Such additional vic-
13 tims advocates shall have regional expertise and may be
14 posted abroad if such victims advocate determines that
15 such is necessary.

16 “(2) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Director of the Peace Corps should assign
18 three additional certified victims advocates to assist the
19 certified victims advocate under paragraph (1).

20 “(3) PROHIBITION.—Peace Corps Medical Officers,
21 Safety and Security Officers, and program staff may not
22 serve as victims advocates. The victims advocate and addi-
23 tional victims advocates may not have any other duties
24 in the Peace Corps.

1 “(4) EXEMPTION.—The victims advocate and addi-
2 tional victims advocates shall be exempt from the five year
3 rule on appointments and assignments under section 7.

4 “(b) RESPONSIBILITIES.—The victims advocate and
5 additional victims advocates shall help develop and imple-
6 ment the sexual assault risk-reduction and response train-
7 ing described in section 8B and the sexual assault protocol
8 and guidelines described in section 8C and ensure such
9 training and such protocol and guidelines are being prop-
10 erly updated and followed. The victims advocate and addi-
11 tional victims advocates shall assist volunteers who are vic-
12 tims of assault by making such victims aware of the serv-
13 ices specified in section 8C(c) available to them and facili-
14 tating their access to such services.

15 “(c) STATUS UPDATES.—The victims advocate and
16 additional victims advocates shall provide to volunteers
17 who are victims of assault regular updates on the status
18 of their cases if such volunteers have opted to pursue pros-
19 ecution.

20 “(d) TRANSITION.—A victims advocate who is work-
21 ing with a volunteer who is a victim of assault and who
22 relocates back to the United States shall assist such volun-
23 teer to receive the services specified in section 8C(c) re-
24 quired by such volunteer, including through the duration

1 of the claim with the Department of Labor, even after
2 such volunteer is medically separated.

3 “ESTABLISHMENT OF SEXUAL ASSAULT ADVISORY

4 COUNCIL

5 “SEC. 8E. (a) ESTABLISHMENT.—There is estab-
6 lished in the Peace Corps a Sexual Assault Advisory Coun-
7 cil (in this section referred to as the ‘Council’).

8 “(b) MEMBERSHIP.—The Council shall be composed
9 of individuals selected by the Director of the Peace Corps
10 who are returned volunteers (including volunteers who
11 were victims of sexual assault and volunteers who were
12 not victims of sexual assault) and governmental and non-
13 governmental experts and professionals in the sexual as-
14 sault field.

15 “(c) FUNCTIONS; MEETINGS.—The Council shall
16 meet not less often than annually to review the sexual as-
17 sault risk-reduction and response training developed under
18 section 8B, sexual assault policy developed under section
19 8C, and the confidentiality policy developed under section
20 8G to ensure that such training and policies conform to
21 best practices in the sexual assault field.

22 “(d) REPORTS.—The Council shall annually submit
23 to the Director of the Peace Corps and the Committee
24 on Foreign Affairs and the Committee on Appropriations
25 of the House of Representatives and Committee on For-
26 eign Relations and the Committee on Appropriations of

1 the Senate a report on its findings based on the reviews
2 conducted pursuant to subsection (e).

3 “(e) FEDERAL EMPLOYEES.—Members of the Coun-
4 cil shall not be considered Federal employees for any pur-
5 pose and shall not receive compensation other than reim-
6 bursement of travel expenses and per diem allowance.

7 “(f) NONAPPLICABILITY OF FACA.—The Federal
8 Advisory Committee Act (5 U.S.C. App.) shall not apply
9 to the Council.

10 “VOLUNTEER FEEDBACK AND PEACE CORPS REVIEW

11 “SEC. 8F. (a) MONITORING AND EVALUATION.—Not
12 later than one year after the date of the enactment of this
13 section, the Director of the Peace Corps shall establish
14 goals, metrics, and monitoring and evaluation plans for
15 all Peace Corps programs and Country Directors. Moni-
16 toring and evaluation plans shall incorporate best prac-
17 tices from monitoring and evaluation studies and analyses.

18 “(b) ANNUAL VOLUNTEER SURVEYS.—The Director
19 of the Peace Corps shall annually conduct a confidential
20 survey of volunteers regarding the effectiveness of Peace
21 Corps programs and staff and the safety of volunteers.

22 “(c) PEACE CORPS INSPECTOR GENERAL.—The In-
23 spector General of the Peace Corps shall submit to the
24 Committee on Foreign Affairs and the Committee on Ap-
25 propriations of the House of Representatives and Com-

1 mittee on Foreign Relations and the Committee on Appro-
2 priations of the Senate the following:

3 “(1) A biennial report on reports received from
4 volunteers relating to misconduct, mismanagement,
5 or policy violations of Peace Corps staff, any
6 breaches of the confidentiality of volunteers, and any
7 actions taken to assure the safety of volunteers who
8 provide such reports.

9 “(2) A report, not later than two years after
10 the date of the enactment of this section and every
11 five years thereafter, evaluating the effectiveness and
12 implementation of the assault risk-reduction and re-
13 sponse training developed under section 8B and the
14 sexual assault protocol and guidelines developed
15 under section 8C.

16 “(3) A trend analysis every three years of the
17 annual volunteer surveys, including actions taken in
18 response to such surveys.

19 “(4) A report, not later than two years after
20 the date of the enactment of this section, describing
21 how Country Directors are hired, how Country Di-
22 rectors are terminated, and how Country Directors
23 hire staff.

24 “(d) EVALUATION DEFINED.—For purposes of this
25 section, the term ‘evaluation’ means the systematic collec-

1 tion and analysis of information about the characteristics
2 and outcomes of programs and projects as a basis for
3 judgments, to improve effectiveness, or inform decisions
4 about current and future programming.

5 “NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE
6 INFORMATION

7 “SEC. 8G. (a) IN GENERAL.—The Director of the
8 Peace Corps shall establish and maintain a process to
9 allow volunteers to report incidents of assault, incidents
10 of misconduct or mismanagement, or violations of any pol-
11 icy, of the Peace Corps in order to protect the confiden-
12 tiality as described in subsection (c) and safety of such
13 volunteers and of the information reported, and to ensure
14 that such information is acted on appropriately. The Di-
15 rector of the Peace Corps shall train all volunteers and
16 staff about this process.

17 “(b) GUIDANCE.—The Director of the Peace Corps
18 shall provide guidance to officers and employees of the
19 Peace Corps who have access to the information reported
20 by volunteers under subsection (a) in order to protect
21 against the inappropriate disclosure of such information
22 and ensure the safety of such volunteers.

23 “(c) NONDISCLOSURE.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graphs (1) and (2), the Director of the Peace Corps
26 may not—

1 “(A) disclose any personally identifying in-
2 formation or personal information of a volun-
3 teer who is a victim of assault collected in con-
4 nection with services requested, utilized, or de-
5 nied through Peace Corps programs; or

6 “(B) reveal such information without the
7 informed, purpose-limited, and reasonably time-
8 limited consent of such volunteer about whom
9 such information is sought.

10 “(2) RELEASE.—If the release of information
11 described in paragraph (1) is authorized by statute
12 or compelled by court order, the Director of the
13 Peace Corps shall—

14 “(A) make reasonable attempts to provide
15 notice to the volunteer with respect to whom
16 such information is being released; and

17 “(B) take such action as is necessary to
18 protect the privacy and safety of such volunteer.

19 “(3) INFORMATION SHARING.—The Director of
20 the Peace Corps may share—

21 “(A) nonpersonally identifying information
22 in the aggregate regarding services to volun-
23 teers and nonpersonally identifying demo-
24 graphic information in order to comply with re-

1 reporting, evaluation, or data collection require-
2 ments;

3 “(B) nonpersonally identifying information
4 that would protect the safety of volunteers;

5 “(C) court-generated information and law-
6 enforcement generated information contained in
7 secure, governmental registries for protection
8 order enforcement purposes; and

9 “(D) law enforcement- and prosecution-
10 generated information necessary for law en-
11 forcement and prosecution purposes.

12 “(d) DEFINITION.—In this section, the terms ‘per-
13 sonally identifying information’ and ‘personal information’
14 mean information for or about a volunteer who is a victim
15 of assault, including information likely to disclose the loca-
16 tion of such victim, including the following:

17 “(1) A first and last name.

18 “(2) A home or other physical address.

19 “(3) Contact information (including a postal,
20 email, or Internet protocol address, or telephone or
21 facsimile number).

22 “(4) A social security number.

23 “(5) Any other information, including date of
24 birth, racial or ethnic background, or religious affili-

1 ation, that, in combination with paragraphs (1)
2 through (4), would serve to identify such victim.

3 “REPORTING REQUIREMENTS

4 “SEC. 8H. (a) ASSAULT AND SEXUAL ASSAULT.—

5 The Director of the Peace Corps shall annually submit to
6 the Committee on Foreign Affairs and the Committee on
7 Appropriations of the House of Representatives and the
8 Committee on Foreign Relations and the Committee on
9 Appropriations of the Senate a report summarizing infor-
10 mation on—

11 “(1) sexual assault against volunteers;

12 “(2) assault against volunteers; and

13 “(3) the annual rate of early termination of vol-
14 unteers, including, to the maximum extent prac-
15 ticable, demographic data associated with such early
16 termination.

17 “(b) GAO.—Not later than one year after the date
18 of the enactment of this section, the Comptroller General
19 of the United States shall submit to the Committee on
20 Foreign Affairs and the Committee on Appropriations of
21 the House of Representatives and the Committee on For-
22 eign Relations and the Committee on Appropriations of
23 the Senate a report evaluating the quality and accessibility
24 of health care provided through the Department of Labor
25 to returned volunteers upon their separation from the
26 Peace Corps.

1 “(c) SAFETY AND SECURITY.—

2 “(1) IN GENERAL.—The Director of the Peace
3 Corps shall annually submit to the Committee on
4 Foreign Affairs of the House of Representatives and
5 the Committee on Foreign Relations of the Senate
6 a report on the safety of Peace Corps volunteers.
7 Each such report shall at a minimum include the
8 following information:

9 “(A) The incidence of crimes, together
10 with the number of arrests, prosecutions, and
11 incarcerations for every country in which volun-
12 teers serve for the preceding year.

13 “(B) A three year trend analysis of the
14 types and frequency of crimes committed
15 against volunteers for every country in which
16 the Peace Corps has operated for at least the
17 three preceding years.

18 “(2) INSPECTOR GENERAL AUDIT.—Not later
19 than two years after the date of the enactment of
20 this section and at least once every five years there-
21 after (or more frequently as appropriate), the In-
22 spector General of the Peace Corps shall perform an
23 audit of Peace Corps implementation of safety and
24 security protocols, including the status of any In-
25 spector General findings and recommendations from

1 previous audits that have not been adequately reme-
2 diated or implemented.

3 “(d) ACCESS TO COMMUNICATIONS.—

4 “(1) IN GENERAL.—The Director of the Peace
5 Corps, in coordination with all Country Directors,
6 shall determine the level of access to communication,
7 including cellular and Internet access, of each volun-
8 teer.

9 “(2) REPORT.—Not later than six months after
10 the date of the enactment of this section, the Direc-
11 tor of the Peace Corps shall submit to the Com-
12 mittee on Foreign Affairs and the Committee on Ap-
13 propriations of the House of Representatives and the
14 Committee on Foreign Relations and the Committee
15 on Appropriations of the Senate a report on the
16 costs of providing all volunteers with access to ade-
17 quate communication, including cellular service and
18 Internet access.

19 “(e) MONITORING AND EVALUATION.—Not later
20 than one year after the date of the enactment of this sec-
21 tion and annually thereafter, the Director of the Peace
22 Corps shall submit to the Committee on Foreign Affairs
23 and the Committee on Appropriations of the House of
24 Representatives and the Committee on Foreign Relations
25 and the Committee on Appropriations of the Senate a re-

1 port on the monitoring and evaluation of Peace Corps pro-
2 grams and Country Directors, including information on
3 the following:

4 “(1) A description of the monitoring and eval-
5 uation activities conducted in the preceding year.

6 “(2) A forecast of the monitoring and evalua-
7 tion activities planned for the subsequent year.

8 “(3) A description of the ways in which the re-
9 sults of the monitoring and evaluation activities have
10 informed the design and operation of development
11 policies and programs during the preceding year.

12 “PORTFOLIO REVIEWS

13 “SEC. 8I. (a) IN GENERAL.—The Director of the
14 Peace Corps shall, at least once every three years (or more
15 frequently as appropriate), perform a review to evaluate
16 the allocation and delivery of resources across the coun-
17 tries the Peace Corps serves or is considering for service.
18 Such portfolio reviews shall at a minimum include the fol-
19 lowing with respect to each such country:

20 “(1) An evaluation of the country’s commitment
21 to the Peace Corps program.

22 “(2) An analysis of the safety and security of
23 volunteers.

24 “(3) An evaluation of the country’s need for as-
25 sistance.

26 “(4) An analysis of country program costs

1 “(5) An evaluation of the effectiveness of man-
2 agement of each post within the country.

3 “(6) An evaluation of the country’s congruence
4 with the Peace Corps’ mission and strategic prior-
5 ities.

6 “(b) REPORT.—The Director of the Peace Corps
7 shall prepare a report on each portfolio review required
8 under subsection (a). Each such report shall discuss per-
9 formance measures and sources of data used (such as
10 project status reports, volunteer surveys, impact studies,
11 reports of the Inspector General of the Peace Corps, and
12 any external sources) in making each such review’s find-
13 ings and conclusions. The Director shall make each such
14 report available upon request to the Chairman and Rank-
15 ing Member of the Committee on Foreign Affairs of the
16 House of Representatives and the Committee on Foreign
17 Relations of the Senate in a manner consistent with the
18 protection of classified information if determined nec-
19 essary to protect sensitive information.”.

20 **SEC. 1003. CONFORMING AMENDMENTS.**

21 (a) INCLUSION OF SEXUAL ASSAULT RISK-REDUC-
22 TION AND RESPONSE TRAINING.—The Peace Corps Act
23 is amended—

1 (1) in section 5(a) (22 U.S.C. 2504(a)), in the
2 second sentence, by inserting “(including training
3 under section 8B)” after “training”; and

4 (2) in section 8(a) (22 U.S.C. 2507(a)), in the
5 first sentence, by inserting “, including training
6 under section 8B,” after “training”.

7 (b) CERTAIN SERVICES.—Section 5(e) of the Peace
8 Corps Act (22 U.S.C. 2504(e)) is amended, in the first
9 sentence—

10 (1) by inserting “(including, if necessary, for
11 such volunteers and for trainees, services under sec-
12 tion 8D)” after “health care”; and

13 (2) by inserting “including services provided in
14 accordance with section 8D (except that the six-
15 month limitation shall not apply in the case of such
16 services)” before “as the President”.

17 **SEC. 1004. INDEPENDENCE OF THE INSPECTOR GENERAL**
18 **OF THE PEACE CORPS.**

19 Section 7(a) of the Peace Corps Act (22 U.S.C.
20 2506(a)) is amended by adding at the end the following
21 new paragraph:

22 “(7) The limitations specified in subparagraph
23 (A) of paragraph (2) on the length of appointment
24 or assignment under such paragraph, subparagraph
25 (B) of paragraph (2) on reappointment or reassign-

1 ment of an individual whose appointment or assign-
2 ment under such paragraph has been terminated,
3 and paragraph (5) on the circumstances under
4 which an appointment or assignment under para-
5 graph (2) may exceed five years shall not apply to—

6 “(A) the Inspector General of the Peace
7 Corps; and

8 “(B) officers and employees of the Office
9 of the Inspector General of the Peace Corps.”.

10 **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

11 Of the amounts authorized to be appropriated under
12 section 403, there is authorized to be appropriated for the
13 Peace Corps \$375,000,000 for fiscal year 2012, of which
14 not less than \$4,637,000 is authorized to be appropriated
15 for the Office of the Inspector General of the Peace Corps.

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